COURSES

ADMINISTRATIVE LAW. LAWS 46101. This course examines the constitutional and statutory framework surrounding the operation and governance of administrative agencies. The first part of the course focuses on constitutional topics, including the non-delegation doctrine, presidential control over administrative agencies, and the delegation of adjudicative authority to non-Article III officers. In particular, it examines whether and to what extent the arrangements that mark the modern administrative state are consistent with the structural objectives that underlie our constitutional system of separated powers and checks and balances. The second part of the course considers the Administrative Procedure Act (APA). In particular, it examines both the safeguards and pathologies that have emerged after more than a half-century of experience with the APA's prescribed framework for rule-making, adjudication, and judicial review. The student's grade is based on a final examination. Autumn (3) Mitchell, Jonathan. Winter (3) Gersen, Jacob.

ADMINISTRATIVE LAW, PRIVATE LAW, AND INSTITUTIONAL DESIGN. LAWS TBD. This seminar explores how public and private actors design and implement institutions and decisional strategies to solve intractable problems of fact and policy. The seminar will focus on advanced topics in administrative law, including theories of judicial deference, public choice, and political accountability; it will also touch upon issues of institutional design and analysis within the criminal law and in private law contexts such as incomplete contracting and tort compensation systems. The goal of the seminar will be to understand and critique administrative law and administrative decision-making from both internal and external perspectives, with particular emphasis on the light that private law principles may shed on public law institutions. Students should have already taken a basic course in administrative law. The grade will be based on short analysis papers and class participation. Spring (2) Masur, Jonathan.

ADMIRALTY LAW. LAWS 71001. This course will cover the development and scope of this part of the jurisdiction of the federal courts, the role of the Supreme Court in the “common law” development of the substantive law of the admiralty, and several of the main elements of substantive maritime law: maritime torts, industrial accidents, collisions, salvage, and limitation of liability. The student's grade is based on class participation and a final examination. Autumn (3) Schmidt, Randall.

ADVANCED CIVIL PROCEDURE: COMPLEX LITIGATION. LAWS 52502. The focus of this seminar is on preparing for and trying today’s increasingly complex civil litigation. Topics include consolidation, joinder, intervention, and class actions; depositions and other discovery techniques; case management; trying the case; and ADR alternatives. The perspective is that of a practicing trial lawyer dealing with these issues under the Federal Rules, supplemented by a critical look at how these procedures might be improved to the benefit of our civil justice system. Enrollment is limited to 25. Grading is based on a written paper on a litigation subject of the student’s choice. Winter (3) Jentes, William.
ADVANCED CORPORATIONS: MERGERS & ACQUISITIONS. LAWS TBD. We will study the planning of corporate mergers, acquisitions, and reorganizations, examining the application and integration of state corporate law, federal securities law, accounting principles, tax law, labor law, products liability law, environmental law, ERISA, and antitrust law. The goal is to introduce students to practical transaction planning and the art of being a “deal lawyer.” We will focus on the problems faced and solved in real-world transactions, considering business and strategic issues as well as legal issues. Grades will be based on class participation, a few simulation exercises, and a standard final exam. Corporation Law is a prerequisite, but may be taken concurrently. Spring (3) Henderson, M. Todd.

ADVANCED CRIMINAL LAW: THE LEGAL ENFORCEMENT OF MORALS. LAWS 99001. This course explores a category of crimes that was traditionally viewed as “victimless” and prosecuted primarily for purposes of the legal enforcement of morality. The crimes include illicit drugs, pornography, homosexual sodomy, handgun ownership, gambling, and prostitution, among others. Today, the idea that they are victimless or immoral is hotly contested, and many legal commentators and practitioners have turned instead to arguments about harm and harm reduction as a way to address this category of crimes. This course will explore the empirical dimensions surrounding these practices, the theoretical debates about prohibiting these activities, and the legal ramifications of enforcement. The student’s grade will be based on class participation and a choice of either a term paper or a final 8-hour take-home examination. Autumn (3) Harcourt, Bernard.

ADVANCED ISSUES IN CRIMINAL PROCEDURE. LAWS 60802. This seminar addresses various legal issues related to the criminal process, and it frequently analyzes them through the lens of the complex federal criminal case. The issues include questions relating to electronic monitoring and investigative techniques, grand jury charging practice and rules, discovery, joinder and severance, evidentiary matters, suppression motions, sentencing, and prosecutorial and judicial discretion. The setting of the complex criminal prosecution is chosen because the importance of the aforementioned issues is often magnified in that context. The course will explore the various legal and policy issues implicated by each subject area. The student’s grade is based on a final major paper that may be written to fulfill one of the substantial writing requirements. Registration is limited to 15 students. Winter (3) Filip, Mark.

ADVANCED TRADEMARKS AND UNFAIR COMPETITION. LAWS 69902. This seminar addresses current issues and developments such as the constitutional foundations and limitations of trademark protection; domain names and cybersquatting; the geographic scope of trademark rights; empirical proofs and elusive harms; dilution, property rights, and misappropriation; the proliferation of subdoctrines; configuration, functionality, and secondary meaning; parody and commercial speech; and the right of publicity. Trademarks and Unfair Competition is a prerequisite for the seminar. A student’s grade is based on class participation and either a series of short thought papers totalling at least 25 pages or a major research paper. Students who elect to write a major research paper may receive substantial writing credit if the paper is certified by the instructor as having met additional applicable criteria. Enrollment is limited to twenty-two students. Winter (3) Hilliard, David; Widmaier, Uli; Doellinger, Chad.
AFFORDABLE HOUSING LAW AND POLICY. LAWS 97302. This seminar examines legal and policy issues relating to affordable housing. Students will learn the essential economics of housing markets generally and the programmatic features of different affordable housing subsidy regimes, which will serve as a launching point for in-depth study and discussion of selected topics, including mixed-income housing, the merits of housing vouchers versus supply-side subsidies, fair housing (housing discrimination), regional burden sharing, and low-income housing tax credits. The interaction between affordable housing programs and wider trends in urban policy and development will be a focus. Students must write a final major paper which may fulfill one of the substantial writing requirements. Autumn (3) Leslie, Jeff.

AMERICAN LAW AND THE RHETORIC OF RACE. LAWS 49801. This course presents an episodic study of the ways in which American law has treated legal issues involving race. Two episodes are studied in detail: the criminal law of slavery during the antebellum period and the constitutional attack on state-imposed segregation in the twentieth century. The case method is used, although close attention is paid to litigation strategy as well as to judicial opinions. Grades are based on class participation and a final examination. Spring (3) Hutchinson, Dennis.

AMERICAN LEGAL HISTORY, 1607-1870. LAWS TBD. This survey course examines major themes and interpretations in the history of American law and legal institutions from the earliest European settlements through the Civil War. Topics include continuity and change between English and American law in the colonial period, the American Revolution and its consequences for state and national law, changing understandings of the U.S. Constitution, the transplantation of the common law, the varied meanings of and debates over federalism, commerce, the law of slavery, and the constitutional and legal consequences of the Civil War. The student’s grade will be based on a take-home final examination and class participation. Spring (3) LaCroix, Alison.

ANTITRUST AND INTELLECTUAL PROPERTY: READINGS. LAWS 94702. This seminar will look at a mixture of old and new materials on the intersection of antitrust and intellectual property, focusing on copyright and patent. Possible topics include webcasting, compulsory licensing, cable, and open access. Students write reaction papers to the readings. The student’s grade is based on participation and the reaction papers. The reaction papers do not fulfill one of the substantial writing requirements. Spring (3) Picker, Randal.

ANTITRUST LAW. LAWS 42801. This course provides an introduction to the law of antitrust. The course focuses first on the practices by which competing firms eliminate, or are alleged to eliminate, competition among themselves. The practices considered include formal cartels, price-fixing conspiracies, “conscientious parallelism,” trade association activities, resale price maintenance, and mergers to monopoly and other types of horizontal merger. The course then looks at the practices by which firms, either singly or in combination, exclude actual or potential competitors from their markets, by means of practices such as boycotts, tying arrangements, vertical integration, and price discrimination under the Robinson-Patman Act. Both price and non-price vertical restrictions are considered. The student’s grade is based on class participation and a final examination. Autumn (3) Picker, Randal.
APPELLATE ADVOCACY CLINIC. LAWS 60013. Directed by Professor Mikva, the Appellate Advocacy Clinic will be available to four (4) third-year students. Each of the students will be responsible for briefing and arguing a criminal appeal to the United States Court of Appeals for the Seventh Circuit in Chicago. Professors Mikva and Harcourt will work with students in the preparation of briefs and mooting them for oral arguments. Each of the students will receive a license under Illinois Supreme Court Rule 711 for these purposes, and Professor Mikva will serve as the attorney of record. The principal brief will be due in early December, and the reply brief and oral argument will be scheduled for the Winter quarter. All of the appeals stem from trials that have taken place in the U.S. District Court for the Northern District of Illinois. Participants will be selected based upon an interview with Professor Mikva. Applicants must have completed a course in Evidence and at least one course in Criminal Procedure. Students who are selected will be undertaking a major responsibility for which they should be prepared to devote substantial time. Autumn (3) Mikva, Abner; Mather, Melissa. Winter (1) Mikva, Abner; Mather, Melissa. Spring (2) Mikva, Abner; Mather, Melissa.

ART LAW. LAWS 79301. This course examines legal issues in the visual arts including artist’s rights and copyright, government regulation of the art market, valuation problems related to authentication and artist estates, disputes over the ownership of art, illicit international trade of art, government funding of museums and artists, and First Amendment issues as they relate to museums and artists. The basis of the grade will be class participation and three short papers. Spring (3) Landes, William; Hirschel, Anthony.

BANKRUPTCY AND REORGANIZATION: THE FEDERAL BANKRUPTCY CODE. LAWS 73601. This course studies the Federal Bankruptcy Code, including both the law of individual bankruptcy and the law of corporate reorganization. Topics include the rights of creditors in bankruptcy, the individual’s right to discharge, the relationship between bankruptcy law and state law, the treatment of executory contracts, bankruptcy planning, the restructuring of corporations in Chapter 11, and the procedure for confirming plans of reorganization. The student’s grade will be based on a proctored final exam. Winter (3) Malani, Anup. Spring (3) Baird, Douglas.

BUSINESS PLANNING. LAWS 62802. This seminar develops and applies the student’s knowledge of taxation and corporate and securities law in the solution of a series of transactional problems involving typical steps in business formation and rearrangement. The problems include the formation of a closely held company; the transition to public ownership of the corporation; executive compensation arrangements; the purchase and sale of a business; and mergers, tender offers, and other types of combination transactions. Small-group discussions and lectures are employed. The student must have taken (or be taking concurrently) Corporation Law and Taxation of Corporations I or receive instructor approval. The student’s grade is based on class participation and a final examination. Winter (2) Crow, Keith; Villmow, Keith.
CATHOLIC SOCIAL TRADITION. LAWS TBD. This seminar will provide an overview of the foundations and key themes of the Catholic Social Tradition, focusing primarily, but not exclusively, on developments since Pope Leo XIII’s 1891 encyclical, Rerum Novarum. The course examines the response of the Roman Catholic Church to the social, political, and economic orders and explores the Tradition’s implications for contemporary law and policy. The topics covered include religious freedom and pluralism, church-state relations, the relationship between law and morality, economic justice and welfare policy, the responsibilities of citizens and political leaders, capital punishment, and abortion. Students’ grades will be based on class participation and on either a series of several short papers or one major paper. Enrollment is limited to 20 students. Spring (var) Garnett, Richard.

CIVIL PROCEDURE I. LAWS 30201. Civil Procedure is offered in two parts. Part 1 meets in the Autumn Quarter and addresses the mechanics of civil litigation, with special reference to pleading, discovery, and trial, including the respective roles of judge and jury. Part 2 is offered in the Spring Quarter and focuses on the study of the power of particular courts to decide cases (subject matter jurisdiction), jurisdiction of the courts over the person or things before them, the scope and effect of judgments, principles of finality of judgments, and the rules governing joinder of claims and parties. The student’s grade is based on a proctored exam given at the end of each quarter. Autumn (3) Buss, Emily. Autumn (3) Samaha, Adam.

CIVIL PROCEDURE II. LAWS 30201. Civil Procedure is offered in two parts. Part 1 meets in the Autumn Quarter and addresses the mechanics of civil litigation, with special reference to pleading, discovery, and trial, including the respective roles of judge and jury. Part 2 is offered in the Spring Quarter and focuses on the study of the power of particular courts to decide cases (subject matter jurisdiction), jurisdiction of the courts over the person or things before them, the scope and effect of judgments, principles of finality of judgments, and the rules governing joinder of claims and parties. The student’s grade is based on a proctored exam given at the end of each quarter. Spring (3) Cox, Adam. Spring (3) Filip, Mark.

CIVIL RIGHTS CLINIC: POLICE ACCOUNTABILITY. LAWS 90913. The Police Accountability Project (PAP) is a start-up project that began in Fall 2000. The Project’s goals are to enhance police accountability and improve police services in Chicago through a combination of litigation and non-litigation strategies. Through the lens of live-client work, students study the nature of police accountability and misconduct in Chicago and the primary challenges to improving police services. Together, we examine how and where litigation fits into broader efforts to improve police accountability and ultimately our criminal justice system. PAP provides legal representation to indigent victims of police abuse in federal civil rights cases, administrative proceedings, and a limited amount of state criminal litigation. The Project takes on cases that would not ordinarily be brought by the private bar, focusing on those that have potential to raise
public consciousness and to facilitate reform. Students work on all aspects of PAP's litigation, from early case investigation and the filing of a complaint through all pretrial, trial, and appellate advocacy. In addition to its litigation activities, PAP has developed a number of programs and reform-oriented strategies in partnership with a diverse array of community, legal, and law enforcement groups. For example, PAP has formed a partnership with public housing residents in Stateway Gardens, a public housing community just a 10-minute drive away from the Law School, to address police accountability, service, and community relations issues. As with PAP's litigation activities, students are fully integrated into PAP's public education, policy reform, and community work. Students are also expected to develop and update PAP's project manual. Second-year students wishing to enroll in the Project are required [strongly encouraged] to take Evidence and Criminal Procedure I early in their second year. Constitutional Law III is also recommended. Third-year students are required to complete, prior to their third year, Evidence, Criminal Procedure I, either Pretrial Advocacy or Major Civil Litigation, and either the Intensive Trial Practice Workshop or Trial Advocacy. Enrollment in PAP is limited and preference will be given to students who have taken the Intensive Trial Practice Workshop and Pretrial Advocacy. Autumn (var) Futterman, Craig; Mather, Melissa. Winter (var) Futterman, Craig; Mather, Melissa. Spring (var) Futterman, Craig; Mather, Melissa.

**CLASS ACTION CONTROVERSIES. LAWS 93602.** This seminar will address the legal principles that govern class action litigation in federal and state courts. The seminar will discuss the requirements of Rule 23, current issues and recent court decisions, legislative modifications to class action practice, constitutional principles applicable to class actions, and the legal, practical, and ethical issues that arise in class actions. Students will be evaluated based on class participation and their final option. Students have the option of submitting a seminar paper or taking an examination at the conclusion of the quarter. Students wishing to receive a third credit will need to submit additional written work. Winter (var) Brody, Michael.

**COMMERCIAL TRANSACTIONS. LAWS 42101.** This course studies modern commercial transactions. It focuses on the first seven articles of the Uniform Commercial Code, with a pronounced focus on payment systems and credit instruments. The classes cover negotiable instruments, bank collections, and letters of credit. The course may also include additional topics of interest such as documents of title, as well as guaranty and surety relations. The student's grade will be based on a proctored final exam. Winter (3) Baird, Douglas.

**COMPARATIVE U.S. AND JAPANESE BUSINESS LAW. LAWS TBD.** This intensive course will undertake a comparative study of U.S. and Japanese business law. Topics will be selected from areas of commercial transactions, corporate law, corporate tax, securities regulation, and banking regulation. More specifically, we will look at topics that are highly debated in Japan today, such as hostile corporate takeovers and the role of legal and accounting professionals in corporate governance. The course will examine both countries' laws and regulations against their socio-economic and cultural backgrounds and explore themes underlying these laws and regulations. Class materials and discussion will be in English, and no prior knowledge of particular subject areas is expected. Winter (1) Kanda, Hideki.
COMPETITION POLICY IN THE EUROPEAN COMMUNITY. LAWS TBD. This seminar provides an introduction to the law and practice of competition policy in the European Community. It will focus particularly on the economic reasoning underlying competition law in the European Community and differences with the United States. The course first focuses on the objectives of EC competition policy including its German foundations. It will then cover the major areas of EC competition law including cartels and the exemptions for cooperative behavior under Article 81 EC Treaty; abuse of dominance including essential facilities, tying, bundled rebates, and exclusive dealing under Article 82 EC Treaty; and mergers. It will also examine state aid policy under the EC treaty including the rationale for prohibiting state subsidies of industry and the application of state aid by the European Commission and EC Courts. The course will introduce students to the major EC cases, to a few important cases decided under national law, and to recent efforts to reform European competition law to make it more economics- and effects-based. Grade will be based roughly on a paper (25-30 pages). Spring (3) Evans, David.

COMPLEX CORPORATE LITIGATION MANAGEMENT. LAWS 52512. High stakes, high visibility corporate litigation creates the need for high quality legal reasoning. It also demands a large team of people with diverse skills and knowledge about such things as team management, economics and the marketplace, good public policy choices, the media and public response, the courts, a jury, the opposition, and the client, just to begin the enumeration. This seminar involves several case studies of litigated disputes involving hundreds of millions of dollars that galvanized the media. The case studies will include a California initiative to roll back auto insurance rates 20%, a corporate governance case involving billions in dividend payments, a class action with allegations of corporate “redlining,” and a private attorney general lawsuit in the aftermath of a major natural catastrophe. Students will develop and apply their knowledge to examine critically litigation strategy decisions by all parties at the pre-trial, trial, appellate, and settlement phases of each litigation. Guest conversationalists may include a senior litigator, an expert witness, a company executive, a journalist, or a member of the judiciary. Students’ grades are based on class participation and students’ choice of either a paper or end of quarter examination. Winter (var) Mintel, Judith.

COMPUTER CRIME LAW. LAWS TBD. This seminar explores the legal issues raised by the investigation and prosecution of computer-related crime. The broad theme is how the switch from traditional physical crimes to new digital crimes challenges traditional approaches to the prohibition, investigation, and prosecution of criminal activity. Topics will include computer hacking, the distribution of computer viruses, Internet fraud schemes, online undercover operations, the Fourth Amendment in cyberspace, the law of Internet surveillance, laws governing access to e-mail, and federal-state relations and international cooperation in the enforcement of computer crime laws. The student’s grade will be based on class participation and a final paper. Autumn (3) Kerr, Orin.

CONFLICTS OF LAW. LAWS 41501. An inquiry into the adjudication of cases connected with more than one state, principally through consideration of choice of law, personal jurisdiction, and respect for prior judgments. A student’s grade will be based on a proctored final examination. Spring (3) Isenbergh, Joseph.
CONSTITUTION IN CONGRESS. LAWS 50112. Students present papers on constitutional controversies that have arisen in Congress or in the Executive Branch. Past examples include President Jackson's removal of deposits from the National Bank, Nullification, and the annexation of Texas. Topics are assigned and researched during the Autumn Quarter so that oral presentations may begin in January (Winter Quarter). Prerequisite: Constitutional Law I. This seminar may be taken for fulfillment of the Substantial Writing Requirement. The student's grade is based on class participation and a substantial paper. Autumn (1) Currie, David. Winter (2) Currie, David.

CONSTITUTIONAL DECISION MAKING. LAWS 50202. Students enrolled in this seminar work as "courts" consisting of five "Justices" each. During each of the first eight weeks of the quarter, the "courts" are assigned several hypothetical cases raising issues under either the Equal Protection Clause or the First Amendment's guarantee of freedom of speech and press. Each "court" must select in advance whether it will focus on equal protection or the First Amendment. All cases must be decided with opinions (concurring and dissenting opinions are, of course, permitted). The decisions may be premised on the "legislative history" of the amendment (materials on that history will be provided) and on any doctrines or precedents created by the "Justices" themselves. The "Justices" may not rely, however, on any actual decisions of the United States Supreme Court. The seminar is designed to give students some insight into the problems a justice confronts in collaborating with colleagues, interpreting an ambiguous constitutional provision, and then living with the doctrines and precedents he or she creates. Constitutional Law is not a prerequisite for participation in this seminar. Enrollment will be limited to four courts. Since the members of each court must work together closely under rigid time constraints, it is preferable for students to form their own complete courts. This course may be taken for fulfillment of the Substantial Writing Requirement. Spring (3) Stone, Geoffrey.

CONSTITUTIONAL LAW I: GOVERNMENTAL STRUCTURE. LAWS 40101. This course analyzes the structure of American government, as defined through the text of the Constitution and its interpretation. The major subjects covered are the allocation of powers among the legislative, executive, and judicial branches; the function of judicial review; and the role of the states and the federal government in the federal structure. The student's grade is based on class participation and a proctored final examination. Autumn (3) Rosenberg, Gerald. Winter (3) LaCroix, Alison.

CONSTITUTIONAL LAW II: FREEDOM OF SPEECH. LAWS 40201. A study of the doctrine and theory of the constitutional law of freedom of speech. The subjects for discussion include advocacy of unlawful conduct, defamation, invasion of privacy, commercial speech, obscenity and pornography, offensive speech, symbolic expression, restrictions on the speech of government employees, restrictions on speech in schools and colleges, the relevance of free speech principles to museums and libraries, protest in public places, regulation of campaign expenditures and communications, freedom of the press as a distinct principle, and regulation of the electronic media. The student's grade is based on a final examination and class participation. Students who have completed Constitutional Law IV are ineligible to enroll in this course. Winter (3) Stone, Geoffrey. Winter (3) Strauss, David.
CONSTITUTIONAL LAW III: EQUAL PROTECTION AND SUBSTANTIVE DUE PROCESS. LAWS 40301. This course considers the history, theory, and contemporary law of the post-Civil War Amendments to the Constitution, particularly the Equal Protection and Due Process Clauses of the Fourteenth Amendment. The central subjects are the constitutional law governing discrimination on the basis of race, gender, and other characteristics, and the recognition of individual rights not explicitly enumerated in the Constitution. Time permitting, we will also address the constitutional distinction between state and private action. Throughout, students consider certain foundational questions, including the role of courts in a democracy and the question of how the Constitution should be interpreted. The student's grade is based on a proctored final examination. Spring (3) Stone, Geoffrey.

CONSTITUTIONAL LAW IV: SPEECH AND RELIGION. LAWS 40501. This course covers various aspects of the first amendment, with particular emphasis on freedom of speech and press, religious liberty, and religious establishments. It is recommended that students first take Constitutional Law I. Students who have completed Constitutional Law II are ineligible to enroll in this course. The student’s grade is based on a take-home final examination. Spring (3) Samaha, Adam.

CONSTITUTIONAL LAW V: FREEDOM OF RELIGION. LAWS 79401. Is it desirable to separate law and politics from our best understandings of the meaning of life? If so, it possible to do this? How? Put another way, is it tyrannical for the state to enact laws on the basis of contestable religious premises? But is it ever possible for the state not to do this? Religious liberty has a special place in the American constitutional regime. Does this entitle believers to special accommodation under the law, or would such accommodation illegitimately give religion a specially privileged status? If accommodation is sometimes appropriate, just how should this be done in the contexts in which law and religion collide? Who should decide whether accommodation is appropriate in particular cases — legislatures or courts? If, as many people think and as the Supreme Court has sometimes held, the state may interfere with the free exercise of religion only when this is necessary to a compelling state interest, what interests may legitimately be assigned that degree of importance? Just what is the American tradition of church-state relations? The course will explore the legal, philosophical, historical, and to some extent, theological issues raised by the broad diversity of religious views held by Americans and by the constitutional commitment to nonestablishment and free exercise of religion. It will consider how our differing foundational beliefs about value should be related to (or separated from) our efforts to make a common life together as a society. Spring (3) Koppelman, Andrew.

CONTRACTS. LAWS 30501. This course, offered over two sequential quarters, addresses the enforceability and interpretation of contractual arrangements, sanctions for their breach, and justifications or excuses for nonperformance. Special attention will be paid to the role of nonlegal sanctions in commercial relationships. The student's grade is based on a single final examination. Winter (3) Bernstein, Lisa. Winter (3) Posner, Eric. Spring (3) Bernstein, Lisa. Spring (3) Posner, Eric.
COPYRIGHT. LAWS 45801. This course explores the major areas of copyright law, with special emphasis on how modern technology might challenge traditional copyright principles. Topics include copyright duration, subject matter, and ownership; the rights and limitations of copyright holders including the fair use doctrine; remedies for copyright infringement; and federal preemption of state law. The student's grade is based on a final examination. Autumn (3) Lichtman, Douglas. Spring (3) Picker, Randall.

CORPORATE CRIME AND INVESTIGATION. LAWS 66702. This seminar will explore the processes by which corporations conduct internal investigation. It will touch on the fiduciary duty owed by the directors and board members to the corporate entity and shareholders. The student's grade will be based on class participation and a final paper. Enrollment is limited to 20. Spring (3) Guentert, Philip.

CORPORATE FINANCE. LAWS 42501. This course examines basic corporate financial matters, including valuation of securities and projects, portfolio theory, returns to risk bearing, the theory of efficient capital markets, the use and valuation of options and derivatives, and corporate capital structure. The course primarily focuses on the financial aspects of these matters rather than on any specific laws governing particular transactions, and the textbook is a basic business school corporate finance textbook. A student's grade is based on a proctored final examination. Students with substantial prior exposure to these issues (such as students with an MBA, joint MBA/JD, and undergraduate finance majors) are ineligible for the course. Autumn (3) Weisbach, David.

CORPORATE GOVERNANCE. LAWS 75001. The focus of this course is on current topics in US corporate governance. The course adopts primarily an agency-cost perspective, attempting to identify those agency costs that remain in US corporations once the law of fiduciary duty, the constraints of the managerial labor market, and the market for corporate control have done their work. As the materials reveal, there is no consensus about the magnitude of these problems — some view them as significant, others as inconsequential. And, as we will see, still other theorists view the central challenge of corporate governance not as reducing agency costs, but rather as improving the content of corporate decisions by promoting a better flow of information within the firm, putting together more effective management teams and the like. Corporate governance as a separate topic of study is relatively new. It began to get attention in the early 1980’s, which is about the time that large institutional investors began to take a more active role in the companies whose shares they held. Over the past 20 years, institutional share ownership in American Corporations has increased dramatically and is now upwards of 60%. As a window on to current issues of concern, we will look particularly closely at the activities and demands of institutional investors. We will look at their explicit public pronouncements on governance as well as the demands they are making. We will attempt to assess whether or not the changes they are demanding are likely to be value-enhancing for all shareholders, or whether they are likely to be singularly well suited to the needs and interests of institutions. We will also ask whether there are forces outside of value creation that might motivate institutions to undertake the actions that they do.
The question is not simple. For example, the first widely publicized corporate governance campaign was on the issue of executive pay, more specifically the amount of executive pay. Now, while it is certainly true that executive pay in America is, by all international standards, and to be fair common sense, rather out of control, it is also true that the effect of these exorbitant salaries on the company’s bottom line, translated into a per share amount, is tiny. Why then did institutions find it desirable to spend money on this campaign? Finally, as we begin to explore the topics in this course, we will highlight the tensions between the interests of institutions and the interests of small investors and will explore the effects of collective action and rational apathy problems on governance-related activism and shareholder voting. As we do so we will pay particularly close attention to what, if any, impact the Internet is likely to have on the received wisdom on these subjects. The course materials are designed to promote active discussion and debate. Most sessions will be structured in a seminar format. One will be a mock board of directors meeting. Students will be required to write short papers (2-5 pages) for many class sessions. Some of these papers will focus on answering a direct analytic question posed in the readings, while others will involve more active Internet-based research such as examining and analyzing a particular company’s executive compensation plan, discussing a campaign of institutional shareholder activism, and the like. Given the discussion format, class participation will count for 40% of the student's grade. Students who are less comfortable speaking in class may fulfill part of the class participation requirement by cutting out relevant articles from the press and submitting them with short discussions about their implications for the dominant themes of the course. Corporations is a prerequisite for this class. International students in the LLM program who have taken corporations in their home country are welcome, but may need to do some additional reading (provided as an appendix to the course packet) to familiarize themselves fully with American corporate law. Limit 40 students.

**CORPORATION LAW. LAWS 42301.** This course offers an introduction to the economic theory and basic legal principles governing the relationship among managers, investors, and creditors in business enterprises of all sizes. Grades will be based on class participation and a standard final exam. Autumn (3) Bernstein, Lisa.

**CORPORATION LAW. LAWS 42301.** This course provides an introduction to the law governing the modern limited liability corporation. It focuses on both large and small firms and pays particular attention to mergers and acquisitions as well as the allocation of control rights among managers, boards of directors, and investors. The student’s grade will be based on a proctored final examination. Autumn (4) Isenbergh, Joseph.

**CRIME POLICY. LAWS TBD.** This mini-course considers the effectiveness and efficiency of public policies to control crime. Emphasis will be placed on exploring the positive questions associated with understanding the costs and benefits of different public policy interventions designed to control crime. Topics covered will include imprisonment, policing, drug policy, and gun control, as well as social policies such as job training, early childhood education, and abortion legalization. Autumn (1) Ludwig, Jens.
CRIMINAL AND JUVENILE JUSTICE PROJECT. LAWS 67213. The current focus of the Project is to provide quality legal representation to children accused of crime and delinquency. In that context, the Project seeks to expand the concept of legal representation to include the social, psychological, medical, and educational needs of our clients, including (but not limited to) developing alternatives to incarceration. The Project's other pedagogical goals involve developing pre-trial, trial and other lawyering skills; encouraging students to pursue public service careers and to make public interest work a part of their private practice; teaching students to apply and critically examine legal theory; and improving the system of justice and its relationship to the poor and to persons of color through litigation, legislative advocacy, and public education, including the development of policies and strategies for effective crime and violence prevention. The Project meets regularly for group case conferences and to discuss ethical issues, recent legal developments, and policy. Individual student-teacher conferences are frequent. Second-year students new to the Project are teamed with returning third-year students to foster collaboration and to ensure continuity in representation. The Clinic social worker and social work students are actively involved in many of the cases and activities. Students may be expected to interview clients and witnesses; inspect crime scenes; conduct fact investigations; participate in relevant community, professional and bar association activities; and prepare motions, briefs, memoranda, and other pleadings. Third-year students may also be expected to appear in court at status hearings, argue contested motions, present legal issues, negotiate with opposing counsel, and, depending on the case and the client-student-faculty assessment, participate in the representation of the client at trial. All students are encouraged to work collaboratively, creatively, and across disciplines in both direct representation and policy initiatives. Second-year students wishing to enroll in the Project are strongly encouraged to enroll in Evidence early in their second year. Other strongly recommended courses include Criminal Procedure, Juvenile Justice, and Legal Profession. Third-year students are required to complete, prior to their third year, Pretrial Advocacy and either the Intensive Trial Practice Workshop or Trial Advocacy. The credit awarded to this seminar is governed by the new rules for credit for clinical work: academic credit varies and will be awarded according to the Law School's general criteria for clinical courses as described in these Announcements and by the approval of the clinical staff. Enrollment in the Project is limited, and preference will be given to students who have taken the Intensive Trial Practice Workshop and Pretrial Advocacy. Autumn (var) Conyers, Herschella; Stone, Randolph. Winter (0) Conyers, Herschella; Stone, Randolph. Spring (var) Conyers, Herschella; Stone, Randolph.

CRIMINAL JUSTICE AND CYBER LAW. LAWS 68302. This seminar addresses the law of cyberspace with heavy emphasis on criminal law and criminal procedure as it relates to computers and the Internet. Procedural aspects focus on understanding and integrating the different laws and the Fourth Amendment as they relate to gathering information for litigation. Substantive law aspects will focus on cyberstalking, child pornography, defamation, and privacy. The seminar requires one major paper and an Internet ego-surfing assignment. Enrollment is limited to 20. This seminar may be taken for fulfillment of the Substantial Writing Requirement. Spring (3) Abraham, Abigail.
CRIMINAL LAW. LAWS 30301. This course, offered over two sequential quarters, addresses the doctrines of criminal liability and the moral and social problems of crime. The definitions of crimes and defenses are considered in light of the purposes of punishment and the role of the criminal justice system, including police and correctional agencies. The student’s grade is based on class participation and a single final examination. Winter (3) Garnett, Richard. Winter (3) Harcourt, Bernard. Spring (3) Epstein, Richard. Spring (3) Garnett, Richard.

CRIMINAL PROCEDURE I: THE INVESTIGATIVE PROCESS. LAWS 47201. The course focuses on the constitutional law that governs searches, seizures, and confessions. The course considers in detail the evolution of the exclusionary rule and the development and administration of the probable cause and warrant requirements. It also examines stop and frisk, administrative searches, searches incident to arrest, vehicle searches, consent searches, and the admissibility of confessions. The student’s grade is based on a final examination. Autumn (3) Kerr, Orin. Winter (3) Samaha, Adam.

CRIMINAL PROCEDURE II: THE ADJUDICATIVE PROCESS. LAWS 47301. This course examines what happens in criminal cases after police investigation has been concluded. It considers such topics as bail and preventive detention, the right to counsel, the prosecutor’s decision to charge, grand jury screening, the right to a speedy trial, pretrial discovery, plea bargaining, and the right to jury trial. Students need not have taken Criminal Procedure I to enroll in this course. The student’s grade will be based on class participation and a choice of either a term paper or a final 8-hour take-home examination. Spring (3) Harcourt, Bernard.

CURRENT CONTROVERSIES IN CORPORATE AND SECURITIES LAW. LAWS 52202. The seminar deals with the most important developments in U.S. (and to some extent foreign) corporate and securities practice during the preceding six months. The legal, political, and economic implications of these developments are analyzed from the points of view of lawyers giving advice to a variety of clients. Each student submits one paper and gives an oral presentation and analysis of another student’s paper. Winter (3) Shepro, Richard.

CURRENT CONTROVERSIES IN INTERNATIONAL LAW. LAWS TBD. This seminar focuses on a few topics and controversies in public international law. The controversies we study may include United Nations reform; universal jurisdiction and the rise of international criminal law; the war on terror and the Geneva Conventions; the role of international law in U.S. courts; the Israel/Palestinian conflict; and the continuing tension between sovereignty and international law, between parochialism and cosmopolitanism. Readings will include academic articles taking opposing views on the subject. Grades will be based on weekly response papers and class participation. Spring (2) Kontorovich, Eugene.

DIVORCE PRACTICE. LAWS 93202. This seminar provides an exposure to the dynamic process of representing clients in a dissolution of marriage case. Completion of Family Law is recommended. The seminar will familiarize you with the complexities that arise when a family is divided and wife and husband are dissolving their marriage.
Topics are covered in the sequence of an evolving case from the perspective of a practicing lawyer and include initial client interviews and retention, determination of jurisdiction, interstate and international parental kidnapping, domestic violence, temporary and permanent child custody and visitation, temporary and permanent maintenance for spouse and support for children, awards of attorneys' fees and costs, exploration of property rights and factors for determining a division, the valuation process and problems in dividing certain types of property, pre- and post-marital agreements; negotiating and drafting marital settlement agreements, pretrial discovery, preparation for trial, common evidentiary issues, federal tax aspects of marital dissolution, and effects of bankruptcy. Fifty percent of the student's grade is based on class participation, and fifty percent is based on the drafting of court pleadings and legal memoranda. Autumn (3) Schiller, Donald.

ECONOMIC ANALYSIS OF THE LAW. LAWS 73201. This course introduces the concepts of law and economics. Over the last forty years, economics has become an important tool for those who want to understand the effect legal rules have on the way people behave. This course also explores the extent to which the principles of economics can be used to explain the workings of the legal system itself. The topics covered in this course include the Coase theorem, the choice between property and liability rules, the allocative effects of alternative liability rules (e.g., strict liability versus negligence), the determination of damages for breach of contract, and the economics of legal procedure. No prior acquaintance with economics or calculus is assumed; the relevant economic concepts are developed through an examination of particular legal applications. The student's grade is based on a final examination. Autumn (3) Landes, William.

ELECTRONIC COMMERCE LAW. LAWS 61802. This seminar focuses on both the technology involved in electronic commerce and the law surrounding the emerging field. Electronic commerce is growing at an exponential rate. As more of our daily commercial lives are lived through use of computers, decisions must be made: will existing law treat e-commerce no differently than any other kind of commerce, or must new laws emerge to take into account some of the radical new transactions and complications? The seminar will begin with an overview of the history and infrastructure of the Internet, setting the groundwork and providing students with a working knowledge of the terminology and technology they will likely encounter working in this legal field. Additional background discussion will involve the concept of regulation of the Internet, global vs. national perspectives on the law of the Internet, and conceptions of sovereignty. Topics will be dictated by the needs of the moment, but will potentially include electronic contracts, digital signatures, the application of traditional UCC doctrines such as the mailbox rule and the statute of frauds to e-commerce, Internet sales of highly regulated goods (such as alcohol, firearms, pharmaceuticals), the domain name system and its relation to trademark law, trade-related issues such as consumer fraud/protection and product disparagement, sales taxation, Internet and business method patents, digital cash/smart cards, digital checks, electronic securities law, Internet gambling, commercial privacy, and e-commerce in gray and black markets. Time permitting, we
may also explore the relationship of international law to e-commerce, the effect of e-commerce concepts on commercial litigation, and export control laws involving cryptography. Topics not covered in the seminar will be suitable for papers. Enrollment is capped at 20. Students may either take the seminar for writing credit, requiring a substantial paper, or may write a shorter paper and make a presentation to the class at the end of the quarter. Winter (3) Nagorsky, Marsha.

ELEMENTS OF THE LAW. LAWS 30101. This course examines certain issues that occur in many different areas of the law and considers the relationship between these issues and comparable questions in other fields of thought, such as moral and political philosophy, economics, and political theory. The subjects for discussion include the nature of, and justification for, reasoning from precedent; the meaning of such notions as consent, coercion, and voluntary choice; the decision whether to impose rules or allow discretion; the problems of interpreting statutes and other authoritative texts; and the objective or subjective nature of moral judgments. The student's grade is based on a proctored final examination. Autumn (3) Strauss, David. Autumn (3) Sunstein, Cass.

EMPLOYEE BENEFITS. LAWS 55502. This seminar emphasizes the role of, and issues relating to, employee benefits and executive compensation, in various types of transactions, particularly plan investments and corporate acquisitions. This seminar provides an overview of the main types of pension plans as well as other types of employee benefit plans and executive compensation structures, the principles of taxation governing deferred compensation arrangements, the Internal Revenue Code requirements applicable to qualified pension plans and the fiduciary, and conflict of interest requirements of the Employee Retirement Income Security Act of 1974 (ERISA). The federal insurance scheme for the defined benefit plan administrated by the Pension Benefit Guaranty Corporation is also examined. The materials include finance and accounting literature as well as statutory and case material. There is some treatment of international benefit issues. The student's grade is based on a proctored final examination. Spring (2) Scogland, William.

EMPLOYMENT AND LABOR LAW. LAWS 43501. This course examines the legal framework governing the relationship between employers and workers. It explores common law principles, questions of occupational safety and health, employment discrimination of various sorts, and private sector unionization and collective bargaining. There is discussion of the National Labor Relations Act, including employees' rights to organize, employees' selection of unions as collective bargaining representatives, collective bargaining and regulation of the bargaining process, use of economic weapons such as strikes and boycotts, and the enforcement of collective bargaining agreements. A recurrent question is the choice between various "models" of employment relationships: freedom of contract, information and incentives, unionization, and direct regulation. The student's grade is based on a final examination. TBA (3) Sunstein, Cass.
EMPLOYMENT DISCRIMINATION PROJECT. LAWS 67113. Randall D. Schmidt and his students operate the Clinic’s Employment Discrimination Project. The Project focuses primarily on pre-trial litigation. In individual cases, the Project represents clients in cases before the Illinois Department of Human Rights (“Department”) and the Illinois Human Rights Commission (“Commission”) and seeks to obtain relief for clients from race, sex, national origin, and handicap discrimination in the work place. Additionally, in its individual cases and law reform/impact cases, the Project seeks to improve the procedures and remedies available to victims of employment discrimination so that complainants have a fair opportunity to present their claims in a reasonably expeditious way. To accomplish this goal, the Project, in addition to litigation, is also active in the legislative arena and participates with other civil rights groups in efforts to amend and improve the Illinois Human Rights Act. Second-year students in the Project can expect to handle several cases individually and “second chair” other cases along with third-year students. Second-year students will autonomously handle cases that the Department is investigating. In these cases, students interview clients and witnesses, assist in the preparation of written briefs and memoranda explaining why the client was the victim of discrimination, and represent clients at informal hearings before the Department. Second- and third-year students will jointly handle cases in the Commission and at various pre-trial stages. They will be involved in discovery (drafting requests, responding to the employer’s discovery, reviewing the information produced in discovery, etc.) and pretrial preparation (i.e., interviewing witnesses, drafting the pretrial memorandum, etc.). Second-year students will be given the opportunity to attend status hearings and hearings on contested motions, along with the third-year student assigned to the case. Moreover, if the case goes to trial, the second-year student will be actively involved in all phases of trial preparation and will attend the trial. Third-year students in the Project are assigned cases that are awaiting trial in the Commission. In these cases, third-year students attend status conferences, argue contested motions, engage in discovery, negotiate with the employer, and prepare the case for trial. If the case goes to trial, the third-year student will be expected to be the lead attorney on the case. The Project also handles, or is otherwise involved in, several appeals each year. Both second- and third-year students work on these appeals researching and drafting appellate briefs. If possible, third-year students present the oral arguments in the appeals. It is suggested, but not required, that all students in the Employment Discrimination Project take the Employment Discrimination course. Third-year students participating in the Employment Discrimination Project are required to take Evidence. Third-year Students are strongly encouraged to take, prior to their third year, Pretrial Advocacy and either the Intensive Trial Practice Workshop or Trial Advocacy. Enrollment in the Employment Discrimination Project is limited and preference will be given to students who take Pretrial Advocacy and the Intensive Trial Practice Workshop. The student’s grade is based on class participation. The credit awarded to this seminar is governed by the new rules for credit for clinical work. Academic credit varies and will be awarded according to the Law School’s general criteria for clinical courses as described in the Law School Announcements and by the approval of the clinical staff. Autumn (var) Schmidt, Randall. Winter (var) Schmidt, Randall. Spring (var) Schmidt, Randall.
ENTREPRENEURSHIP AND THE LAW. LAWS 61902. This seminar introduces students to the lawyer’s role in representing entrepreneurs. The seminar focuses specifically on micro-enterprises, but generally applies to larger businesses as well. The initial part of the course explores economics and theory of entrepreneurship, as well as the constitutional and regulatory contexts in the U.S. The seminar then surveys fundamental legal questions that affect entrepreneurship. Topics covered include choice of entity, intellectual property, employment, and business strategy. Throughout the course, students will analyze strategies for counseling entrepreneurial clients and reflect on actual business documents such as limited liability company operating agreements, leases, or non-competition agreements. This seminar is a prerequisite for participation in the Institute for Justice Clinic on Entrepreneurship by 2L’s and a co-requisite for participation by 3L’s. Students’ grades will be based on active participation, short papers, and other writing assignments. Autumn (2) Milnikel, Elizabeth; Kosuri, Praveen.

ENVIRONMENTAL LAW. LAWS 46001. This course provides an introduction to the role of legal institutions in resolving environmental resource conflicts and dealing with the health and ecological risks generated by industrialization. The resolution of environmental problems through private litigation, federal regulation, economic incentive systems, and judicial review of administrative decisions is examined. A student’s grade will be based on a final examination. TBA (3) Sunstein, Cass.

ETHNOGRAPHY OF LAW. LAWS 93802. Any law students interested should contact Prof. Fred (mfred@uchicago.edu) - syllabus will be available in September. For the most part, students take both quarters as the second quarter focuses on ethnographic fieldwork projects. Autumn (var) Fred, Morris. Winter (3) Fred, Morris.

EUROPEAN LEGAL HISTORY. LAWS 91902. This seminar aims to give students an appreciation of the basic themes and the most important events in European (as opposed to English) legal history. It begins with the Roman law formulated under the Emperor Justinian and moves forward to the 19th century. Among the subjects covered are Germanic law, the rise of legal science beginning in the twelfth century, the nature of the ius commune, legal humanism, the reception of Roman law, the natural law school, and the movement towards codification of the law. Students are encouraged to conduct basic research on their own and to share it with the class, and they are permitted to write a paper to satisfy the seminar requirement, but a final examination will also be offered as an option. Winter (3) Helmholz, R.H..
EUROPEAN UNION LAW I: CONSTITUTIONAL AND INSTITUTIONAL FRAMEWORK. LAWS 75201. This seminar will cover the basic constitutional structure of the European Union. We will first study the framework of the EU to understand how the various institutions interact. Next we will examine how the EU’s legal system works within the community of Europe, with particular emphasis on the issues of sovereignty and supremacy. What legislative powers does the EU have? What are the member states’ obligations to the EU? Do member states have recourse against the EU and each other? Lastly, we will consider the global role of the EU, including its relations with the ICJ, WTO and NAFTA. The seminar will end with a proctored final examination. Winter (2) Duquette, Elizabeth.

EUROPEAN UNION LAW II: CURRENT LEGAL AND POLITICAL PROBLEMS. LAWS 75301. In this seminar, we will discuss current legal and political problems of the European Union. We will study the role international law plays in the EU’s legal system, the evolution of its human rights law, and the impact of the EU’s common foreign and security policy. As the EU enlarges, it faces new political and legal challenges, which provide opportunity for discussion and forward-looking analysis. We will examine the perceived need to change the constitutional structure of the EU and consider the political impact a new constitution might have on the member states. The student’s grade will be based on a major research paper and class participation. European Union Law I is a prerequisite for this seminar. Spring (3) Duquette, Elizabeth.

EVIDENCE. LAWS 41601. This is a course on the Federal Rules of Evidence, the body of rules that govern the admission of proof at trial in the Federal Courts. The same or similar provisions apply in most state courts; the California and New York rules have the most differences from the Federal Rules. Topics will include relevance, the hearsay rule and its myriad exceptions, expert witnesses and scientific evidence, as well as some constitutional limits (Confrontation Clause, Due Process Clause) on the rules of evidence. There will be somewhat more lecture than in a typical course, in order to facilitate coverage of material. Even so, certain topics will not be covered (e.g., presumptions, judicial notice), and others will be covered only briefly (e.g., privileges, impeachment of witnesses). Approximately two-thirds of the course will be devoted to the two central topics in the law of evidence: relevance and hearsay (including the exceptions). Multiple choice final exam. Autumn (3) Leiter, Brian.

EVIDENCE. LAWS 41601. This course examines the law governing proof of disputed propositions of fact in criminal and civil trials, including relevance, character evidence, the hearsay “rule” and other rules of exclusion, and examination and privileges of witnesses. The student’s grade is based on a proctored exam. Winter (3) Buss, Emily.
FEDERAL COURTS FROM THE JUDGE’S PERSPECTIVE. LAWS TBD. This seminar will take a close look at selected problems relating to the role of the federal courts in the federal system. The problems will be chosen with an eye to both the frequency with which the federal courts in today’s world encounter them and to the difficulty of the issues even if they make only rare, but predictable, appearances. The topics will change from year to year, but they will normally include the following: defining the scope and limits of the judicial power; Article III limitations such as standing, mootness, ripeness, political questions; Congressional control of the federal courts; non-Article III tribunals; subject matter jurisdiction – actual, potential, optimal; actions against state and federal officials, and related immunity doctrines; habeas corpus; institutional reform litigation; and judicial federalism, including anti-injunction legislation, abstention doctrines, and Erie. A student’s grade will be based on class participation and a major paper. Winter (3) Wood, Diane.

FEDERAL CRIMINAL LAW. LAWS 46501. This course examines the substance and structure of federal criminal law. It focuses on four topics: (1) federal jurisdiction over crime; (2) crimes that enlarge the scope of federal criminal law such as the Hobbs Act and mail fraud; (3) crimes that target organizations such as RICO; and (4) other federal offenses, such as bribery of public officials and drug trafficking. If time permits, an important aspect of sanctions in the federal system, asset forfeiture, will be discussed. The student’s grade will be based on a take-home examination. Autumn (3) Miles, Thomas.

FEDERAL JURISDICTION. LAWS 41101. The role of the federal courts in the federal system. Topics will include federal question and admiralty jurisdiction, litigation against federal and state governments and their officials, abstention and related doctrines, direct and collateral review of state-court decisions, standing and other justiciability doctrines, and congressional control of the jurisdiction of the federal courts. The student’s grade is based on class participation and a proctored final examination. Winter (3) Kontorovich, Eugene.

FEDERAL REGULATION OF SECURITIES. LAWS 42401. This course covers the basic economic and legal principles of public equity markets. We will look at the public offering (IPO) and private placement process in some detail, paying special attention to the key securities statutes and the complex rules issued by the Securities and Exchange Commission. We will also examine the basic principles of trading, including tender offers, private securities actions, and damages. The economics of finance and capital markets is employed to assist the analysis. Corporation Law is a prerequisite, although it may be taken concurrently. Grades will be based on class participation and a standard final examination. Winter (3) Henderson, M. Todd.
FINANCIAL ACCOUNTING FOR LAWYERS. LAWS 79101. This mini-course provides an introduction to the analysis and communication of economic events through the accounting process. Students learn skills necessary to become informed users of financial statements. The majority of the course focuses on the functions of financial reporting, the elements of the financial reports, procedures, conventions, and terminology. The primary focus of this course will be on the main elements of a company’s annual report: Balance Sheet, Income Statement, Statement of Cash Flow, Statement of Shareholder’s Equity, and the related footnotes to these statements. Students will also learn basic financial statement analysis techniques, with an emphasis on determining the “quality” of earnings. Basic principles of valuation will be covered, including the time value of money, the discounted dividends and residual income models, and ratio analysis. Time permitting, the course will conclude with an investigation of the application of accounting fundamentals in the legal setting as well as the legal responsibilities of the accountants, lawyers, audit committees, and the Board of Directors. The student’s grade is based on class participation, homework assignments, and a take-home final examination. Students may not take this class and Legal Elements of Accounting (79102). Spring (1) Fitzgerald, Kathleen.

FOREIGN RELATIONS LAW. LAWS 97801. This course examines the law governing the conduct of American foreign relations. The emphasis will be on the distribution of the foreign affairs power between the executive, legislative, and judicial branches. Special attention will be given to the war and treaty powers. Discussion will focus on the wars in Iraq, Afghanistan, and Kosovo, and on recent treaty questions such as termination of the Anti-Ballistic Missile treaty, American entry into the World Trade Organization by statute, and the scope of human rights agreements. A student’s grade will be based on a proctored final examination. Autumn (3) Posner, Eric.

FREE SPEECH THEORY. LAWS 40502. This seminar explores speech as a social practice and a constitutional norm. Understanding the social practice helps identify what is now valuable and harmful about communication. But a constitutional law of free speech need not track those understandings; the constitutional question involves practical issues of priority and institutional structure. Readings for the seminar will emphasize contemporary efforts to confront these matters. Grades will be based on a series of short reaction papers and class participation, with the option of writing an additional paper that satisfies the Substantial Writing Requirement. Constitutional Law I: Governmental Structure is a prerequisite for the seminar. Either Constitutional Law II: Freedom of Speech or Constitutional Law IV: Speech & Religion is helpful but neither is required. Enrollment is limited to 20 students. Autumn (3) Samaha, Adam.

GAME THEORY AND THE LAW. LAWS 50602. This seminar examines the principles of game theory and their use to analyze legal problems. Applications are drawn from torts, contracts, bankruptcy, antitrust, and civil procedure. Enrollment is limited to 20. A student’s grade will be based on a take-home exam. Spring (2) Baird, Douglas.
HEALTH LAW. LAWS 46202. This course surveys the law and policy applicable to health care financing and delivery in the U.S. Topics include industry structure, malpractice liability, health insurance regulation, Medicare, Medicaid, taxation of healthcare spending, antitrust regulation, the drug approval process, pharmaceutical product liability, and protection of patient information. A student’s grade will be based on a major paper, which may be used to fulfill a substantial writing requirement. Spring (3) Malani, Anup.

HEALTH LAW AND POLICY. LAWS 78801. This course explores the policies that underlie regulation of the provision of health care in the United States. We will begin with an examination of the principal government programs for financing the delivery of health care in America - Medicare and Medicaid. This first part of the course will focus on how these programs seek to resolve the tension between controlling costs, promoting quality, and assuring access. Focus will then move to a consideration of policy issues relating to managed care organizations, including the functioning of these organizations and the impact of ERISA on their actions. Next, we will study issues relating to the behavior of physicians, hospitals, and other health care institutions. Included will be a focus on the impact of the antitrust, labor, and tax laws on these entities. The student may choose to take a proctored final examination or to submit a major paper. The grade will be based on the examination or paper, as well as class participation. Winter (3) Bierig, Jack.

HUMAN RIGHTS I: PHILOSOPHICAL FOUNDATIONS OF HUMAN RIGHTS. LAWS 41200. This course deals with the philosophical foundations of human rights. The foundations bear on basic conceptual and normative issues. We examine the various meanings and components of human rights and the subjects, objects, and respondents of human rights. We ask questions such as the following: Who has the rights? What they are rights to? Who has the correlative duties? Can we legitimately hold the members of other societies to the standards of our culture? What methods of argument and implementation are available in this area? The practical implications of these theoretical issues are also explored. Autumn (3) TBD.

HUMAN RIGHTS II: HISTORY AND THEORY. LAWS 41301. This course is concerned with the theory and the historical evolution of the modern human rights regime. It discusses the emergence of a modern “human rights” culture as a product of the formation and expansion of the system of nation-states and the concurrent rise of value-driven social mobilizations. It juxtaposes these Western origins with competing non-Western systems of thought and practices on rights. The course proceeds to discuss human rights in two prevailing modalities. First, it explores rights as protection of the body and personhood and the modern, Western notion of individualism entailed therein. Second, it inquires into rights as they affect groups (such as ethnicities, and potentially, transnational corporations) or states. Winter (3) Novak, William.
HUMAN RIGHTS III: CURRENT ISSUES IN HUMAN RIGHTS. LAWS 78201. This course is designed for both law students and medical students. The first part focuses on the dramatic changes in the creation and enforcement of international human rights law that have taken place since World War II. Notwithstanding serious challenges from a variety of sources, no government in the world publicly dissent from the acceptance of support for human rights. Students examine the existing international human rights regime and explore the impact of the UN charter, the Universal Declaration, and various multilateral and regional human rights treaties and regimes on the behavior of nations today. Using cases from U.S. and international courts, the course will then focus on medical and ethical issues in human rights. Topics include political repression (including psychiatric repression and the history of the Gulag); medical research, informed consent, and human rights; the role of physicians in practicing and documenting torture; persecution and asylum; and questions of eugenics. The course emphasizes how the ethical traditions of both law and medicine can be used to promote human rights. Guest lecturers and a film series supplement the curriculum. Students are expected to make short presentations and to submit a short mid-term paper (5 pages) and a final paper (15 pages). The student's grade is based on a major paper (75%) and class participation (25%). Spring (3) Gzesh, Susan; Dohrn, Bernardine.

HUMAN RIGHTS: ALIEN AND CITIZEN. LAWS 62401. The basic notion of international human rights is that rights are inherent in the identity of human beings, regardless of their citizenship, nationality, or immigration status. This course will address how international human rights doctrines, conventions, and mechanisms can be used to understand the situation of the “alien” (or foreigner) who has left his or her country of origin to work, seek safe haven, or simply reside in another country. How native or resident populations and governments respond to new arrivals has varied tremendously in the past and present. In some situations, humanitarian impulses or political interests have dictated a warm welcome and full acceptance into the national community. In other cases, alien populations have become targets of suspicion and repression. In some extreme cases, states have “denationalized” resident populations who previously enjoyed national citizenship. We will use an interdisciplinary approach to address such questions as (1) Why do human beings migrate? What might human rights as a measuring instrument tell us about conditions that promote refugee flows and other forms of forced migration? (2) What is the meaning of citizenship? How is it acquired or lost? What rights may societies and nation-states grant only to citizens, but withhold from others? (3) Are human rights truly universal? Are rights necessarily dependent on citizenship? (4) How do differences in rights between citizens and aliens become more important during national security crises? (5) What are the principal categories used by nation states to classify foreign visitors and residents? How do these categorizations affect the rights of foreigners? (6) How do international human rights doctrines limit actions by states with respect to certain categories of foreigners such as refugees, asylum applicants, and migratory workers? (7) Given the non-voting status of foreign populations in almost all countries, how are the rights of aliens represented in societies of settlement? How do home country governments regard their expatriate communities? The student's grade is based on attendance, participation, and a major paper. Winter (3) Gzesh, Susan.
IMMIGRATION LAW AND THE RIGHTS OF NON-CITIZENS. LAWS 50001. This course provides a basic introduction to U.S. immigration law and policy, with a particular focus on how immigration law relates to broader concerns in the structure of our constitutional system. Topics include the sources and scope of the federal government's constitutional authority to regulate immigration, the grounds for admission and deportation from the United States, the status and conditions of undocumented immigrants, and the relationship between immigration and national security. The student's grade will be based on a take-home final examination and class participation. Winter (3) Cox, Adam.

INDEPENDENT RESEARCH. LAWS 49901. Second- and third-year students may earn course credit by independent research under the supervision of a member of the faculty. Such projects are arranged by consultation between the student and the particular member of the faculty in whose field the proposed topic falls. Autumn (3) Staff. Winter (3) Staff. Spring (3) Staff.

INFORMATION TECHNOLOGY LAW: COMPLEX INDUSTRY TRANSACTIONS. LAWS 91502. Information Technology is the engine of growth for the emerging economy. From B2B exchanges, to wireless/mobile computing, to e-marketplace web design and development, IT is changing the nature of business today. Accordingly, traditional legal concepts are under pressure to adapt to ever-evolving business models. This seminar provides an overview of complex IT transactions and the commercial and legal principles governing these transactions. Study materials will be drawn from actual contracts and other relevant materials, and emphasis will be placed on developing an understanding of the interaction of commercial needs and legal requirements, including those found in corporate, contracts, intellectual property, and other legal practice areas. Participants will develop an understanding of specific contractual, risk, and warranty clauses and practice pitfalls. From time-to-time, senior industry executives will join the seminar to provide “real world” experience. The student must have taken (or be taking concurrently) Corporation Law or receive instructor approval. The student's grade is based on periodic short written exercises (40 percent), take-home examination (40 percent), and class participation, including participation in mock negotiations (20 percent). Mr. Zarfes is an Executive Vice President and General Counsel of Cap Gemini Ernst & Young. Autumn (3) Zarfes, David.

INSTITUTE FOR JUSTICE CLINIC ON ENTREPRENEURSHIP. LAWS 67613. The Institute for Justice Clinic on Entrepreneurship, or IJ Clinic, provides entrepreneurs, especially start-up micro-businesses operated by low- to moderate-income individuals, with free legal services that include business formation; license and permit application; contract and lease review; landlord, supplier, and lender negotiation; intellectual property protection; and basic tax and regulatory compliance. The IJ Clinic is the Law School’s practical training ground for law students who are interested in transactional work generally and entrepreneurship specifically. Students are involved in all phases of client representation and have the opportunity to interview and counsel clients; draft business documents and contracts; negotiate with contractors, investors, or lenders; prepare documents for filing; and occasionally represent clients before administrative
bodies. Academic credit varies and will be awarded according to the Law School’s general criteria for clinical courses as described in the Law School Announcements and by the approval of the clinical staff. Entrepreneurship & the Law is a prerequisite for 2L’s and a co-requisite for 3L’s entering the IJ Clinic. Autumn (var) Milnikel, Elizabeth; Kosuri, Praveen. Winter (var) Milnikel, Elizabeth; Kosuri, Praveen. Spring (var) Milnikel, Elizabeth; Kosuri, Praveen.

**INTELLECTUAL PROPERTY AND THE CONSTITUTION. LAWS TBD.** This seminar examines the intersection of intellectual property and constitutional law. Topics will include the framing of the Constitution’s intellectual property clause, the tension between copyright and the First Amendment, the scope of and limits on congressional authority to enact intellectual property legislation, and preemption of state law. A background in intellectual property or constitutional law is helpful but not necessary. The grade will be based on short analysis papers and class participation. Spring (2) Fagundes, David.

**INTELLECTUAL PROPERTY LITIGATION: ADVANCED ISSUES. LAWS 98602.** Intellectual Property litigation provides a framework for exploring complex federal civil litigation practice. This course will provide both insights into the practice of the trial lawyer as well as analysis of central intellectual property law concepts. Using case studies, we will examine issues such as the tactical and practical dimensions of preliminary injunction practice; the use of experts to address specialized subject matter, including the use of market research surveys to prove consumer perception; availability of equitable remedies; and persuasive trial presentation of complex facts. Grades will be based on class participation, oral arguments on motions, and written briefs. Trademarks and Unfair Competition is a prerequisite to taking this course, and completion of Evidence is helpful. Winter (3) Masters, Douglas.

**INTENSIVE TRIAL PRACTICE WORKSHOP. LAWS 67503.** This practicum teaches trial preparation, trial advocacy, and strategy through a variety of teaching techniques, including lectures and demonstrations, but primarily through simulated trial exercises. Topics include opening statements, witness preparation, direct and cross examination, expert witnesses, objections at trial, and closing argument. Practicing lawyers and judges are enlisted to provide students with lectures and critiques from varied perspectives. The practicum concludes with a simulated jury trial presided over by sitting state and federal court judges. Evidence is a prerequisite. Students taking the Intensive Trial Practice Workshop may enroll in Pre-Trial Advocacy. Completion of this workshop partially satisfies one of the requirements for admission to the trial bar of the United States District Court for the Northern District of Illinois. This practicum is open only to students entering their 3L year and limited to 54 with preference given to students who have been accepted into a Clinic course. Students who have taken Advanced Trial Advocacy (LAW 93802) may not take this course. This practicum is offered for approximately six hours/day during the two weeks prior to the beginning of the Autumn Quarter. The student’s grade is based on class participation. Autumn (2) Conyers, Herschella; Futterman, Craig; Heyman, Mark; Mather, Melissa; Milnikel, Elizabeth; Schmidt, Randall; Stone, Randolph.
INTERNATIONAL ARBITRATION. LAWS 94602. This seminar gives students a basic foundation in the mechanics of international commercial arbitration and an understanding of the tactical choices that frequently confront international arbitration practitioners. With the emergence of the global economy and the explosive growth of cross-border transactions and multinational joint ventures, international arbitration has become the leading mechanism for resolution of international commercial disputes. With parties increasingly unwilling to accept the risks of litigation in the local courts of their foreign business partners, international arbitration agreements are now a mainstay of cross-border commercial transactions. Topics include the crafting of effective international arbitration agreements, the relative advantages and disadvantages of ad hoc UNCITRAL-style arbitration and institutional arbitration (ICC, AAA, etc.), the rules of procedure that govern international arbitration, the difficult procedural issues that commonly arise in international arbitration (such as the availability and extent of discovery, the consolidation of parties and claims, etc.), the effective presentation of evidence, and the resolution of disputes under the laws of multiple jurisdictions. The student’s grade is based upon the quality of preparation for and participation in the seminar, as well as the quality of a required research paper. Winter (3) Rubinstein, Javier.

INTERNATIONAL ENVIRONMENTAL LAW. LAWS 92702. This seminar examines how global resources can be protected within an international legal framework where state actors reign supreme. Sources of international environmental law and associated enforcement mechanisms will be discussed with reference to various environmental problems such as loss of biodiversity, climate change, ozone depletion, transboundary air pollution, and oil spills. The relationship between trade, development, and environmental protection will receive particular attention throughout the seminar, as will issues arising from the evolving role of non-state actors. The student’s grade will be based on class participation and a major paper. This seminar may be taken to fulfill one of the substantial writing requirements if the major paper is certified by the professor as having met the criteria. Autumn (3) Geraghty, Georgie Boge.

INTERNATIONAL FINANCE. LAWS 48901. Today the volume of international financial flows far exceeds the volume of international trade. This mini-course addresses the international aspects of U.S. domestic banking and security markets and contrasts them with offshore and other foreign markets. The focus is on U.S., European, and Japanese regulatory systems and the role of international financial institutions. Among the particular topics are the eurodollar and eurobond markets; foreign exchange markets; futures, options and derivative markets; and an introduction to emerging markets finance. This course is intended to complement, rather than substitute for, courses in U.S. securities and banking regulation. The student’s grade will be based on a take-home exam and class participation. Winter (2) Dam, Kenneth.
INTERNATIONAL LITIGATION IN THE U.S. COURTS. LAWS 77101. International litigation accounts for an ever-increasing number of cases coming before federal and state courts in the United States today. In this seminar, we will examine selected topics that exemplify the problems lawyers and litigants encounter in cases with some kind of international element. Those topics will include the following: the reach of the prescriptive jurisdiction of the United States (sometimes called the extraterritoriality issue); parallel and conflicting litigation in different national courts; the collection of information located outside the United States for use in civil cases; coordination and conflict in criminal prosecutions; issues relating to foreign sovereign status, such as immunity and the act of state doctrine; recognition and enforcement of foreign judgments; international law in the U.S. courts; and the relation between the U.S. courts and various international tribunals. Students will be expected to write a major paper for credit in the seminar. Autumn (3) Wood, Diane.

INTERNATIONAL TAXATION. LAWS 44601. This course provides a survey of the income tax aspects of investments and business operations of foreigners in the United States and overseas investments and business operations of Americans. Though the principal focus of the course is on the U.S. tax system, some attention is paid to adjustments between tax regimes of different countries through tax credits and tax treaties. The student’s grade is based on a final examination. Winter (3) Roin, Julie.

INTRODUCTORY INCOME TAX. LAWS 44121. This course provides a survey of the essential elements of the U.S. income tax, with principal focus on the taxation of individuals. Points of concern are the nature of income, its timing and measurement, the notions of tax benefit and tax incentive, realization, sales and exchanges, the boundary between personal and business expenditures, capital recovery and capital gains, and assignment of income among related taxpayers. The student’s grade is based on a proctored examination. Autumn (3) Roin, Julie. Winter (3) Isenbergh, Joseph.

INVESTMENT MANAGEMENT. LAWS 80102. This seminar provides an introduction to the investment management industry—the development and distribution of investment advisory services and financial investment products to investors and retirement plans. Although the growth and development of the U.S. capital markets in the preceding 25 years has been remarkable, the increase in the size and significance of the investment management industry has been even more dramatic. While during the period from 1980 to 2005 the Dow Jones Industrial Average increased by an unprecedented rate of nearly 13-fold, during the same 25-year period the investment management industry increased by over 90-fold, with estimates of discretionary assets under management in the industry exceeding $13 trillion. This growth in the size of the industry is coupled with an increase in the breadth and complexity of the investment products offered, involving a broad array of disciplines with which legal advisers and industry participants need to have a basic familiarity. This seminar examines the basic regulatory framework—primarily the federal Investment Company Act and Investment Advisers Act—by analyzing selected issues involving the structure, management, marketing, and distribution aspects of mutual funds and other investment products. Other topics will be highlighted through analysis of the development of new investment products,
such as ETFs and publicly offered hedge funds and private equity funds. This seminar will provide an introductory level analysis of certain core areas of the investment management industry, including portfolio management philosophies; basic characteristics of equity, fixed income, and alternative asset classes; the role of fund directors, conflicts of interest, and corporate governance issues; and distribution and marketing-related issues, including the impact of the Internet on financial product design and distribution. A student’s grade will be based on a final examination. Active class participation is encouraged and may be a factor in the final grade. A student electing to write a 10- to 12-page paper in addition to taking the exam may receive three credits and will be graded on both the paper and the exam. Winter (var) Hale, Thomas.

IRWIN ASKOW HOUSING INITIATIVE. LAWS 95013. Students in the Housing Initiative provide legal representation to community-based housing developers, tenant groups, and other parties involved in the production of new or rehabilitated affordable housing stock. Students advise clients on structuring issues; negotiate, draft and review construction and financing contracts; secure zoning and other governmental approvals; assist clients in resolving compliance issues under the applicable state and federal housing programs; and participate in the preparation of evidentiary and closing documents. The Housing Initiative focuses on innovative transactions sponsored by community-based organizations on the south side of Chicago. In addition to working on specific transactions, students in the Housing Project meet regularly as a group to discuss the substantive rules and legal skills pertinent to housing transactions and to examine emergent issues arising out of the students’ work. Academic credit for the Housing Project varies and is awarded according to the Law School’s general criteria for clinical courses as described in the Law School Announcements and by the approval of the clinical faculty. Autumn (var) Leslie, Jeff. Winter (var) Leslie, Jeff. Spring (var) Leslie, Jeff.

ISLAMIC LAW IN THE MODERN WORLD. LAWS 80202. This seminar will provide an overview of Islamic law (the Shari’a), examining its origins, development, and growing influence on both domestic and international legal systems. We will discuss the fundamentals of classical Shari’a jurisprudence, focusing on the sacred sources of law, the expanding role of human interpretation, and the rival schools that created a flexible and pluralistic legal tradition encompassing the entire Islamic world. In addition, we will trace the emergence of a parallel system of explicitly secular law, promoted by indigenous empires and sultanates and eventually codified under European colonialism. Several readings and class discussions will deal with contemporary debates about modernizing the Shari’a and making it a “living law” for Muslims everywhere. We will compare reform initiatives in a variety of policy areas in secular Westernizing nations such as Turkey, Indonesia, Malaysia, and Nigeria, as well as in neo-traditionalist legal systems such as Pakistan, Saudi Arabia, Iran, and Morocco. In conclusion, we will assess the burgeoning interest in drawing on Islamic law and other non-Western legal traditions in order to develop an international law that is more representative of global multiculturalism. Student grades will be based on a series of short research papers that will also guide group discussions. Spring (3) Bianchi, Robert.
JURISPRUDENCE: HART AND DWORIN. LAWS TBD. An introduction to the central questions of legal philosophy through careful study of two books: H.L.A. Hart’s The Concept of Law (2nd ed. 1994), the most important work of 20th-century jurisprudence and the most influential articulation of the positivist theory of law; and Law’s Empire (1986) by Ronald Dworkin, Hart’s best-known, albeit controversial, critic. We will also examine Hart’s reply to Dworkin in the posthumous “Postscript” to The Concept of Law. Questions to be addressed include the following: What is the difference between law and morality, between legal and moral obligation, and between legal and other kinds of normativity? What makes a rule (or norm) a rule of the legal system? Can there be “right” answers to legal disputes, even when informed judges and lawyers disagree about the answer? Are there principles or methods of legal reasoning that constrain judicial decision-making, or is legal reasoning essentially indeterminate, such that a skillful judge can justify more than one outcome for any given dispute? Can jurisprudence answer these kinds of questions without also answering fundamental questions of political philosophy about when the coercive power of the state is justified? The grade will be based on a major paper and class participation. Students taking the seminar for Substantial Writing Credit will also need to look at later formulations of Dworkinian positions by Dworkin himself, Stavropoulos, and perhaps Greenberg; the instructor will schedule some additional time to meet with students to discuss this material. No background in philosophy or jurisprudence will be presupposed for this seminar, although we will likely venture into some demanding cognate issues in philosophy of language and meta-ethics as they are relevant. Autumn (3) Leiter, Brian.

LABOR LAW. LAWS 43101. This seminar will examine selected aspects of our basic federal labor law, including jurisdiction, procedures, and judicial review of the National Labor Relations Board; the regulation of speech and conduct in union organizational campaigns; the ban on employer-sponsored labor organizations; the duty to bargain in good faith; the enforcement of collective bargaining agreements; the limits on economic pressure tactics; and federal preemption of state-law regulation. An examination will be given at the conclusion of the seminar. Students may opt to write a paper in addition to the exam to earn three credits. Winter (var) Lopatka, Kenneth.

LAND USE PLANNING. LAWS 61401. This course examines the land development process. It explores the various legal tools used to regulate land uses as well as constitutional limits on government land use regulation. Attention will be given to the comparative advantages of different regulatory devices, as well as to the legal, political, and economic factors that influence public and private decisions about land uses. A student’s grade will be based on a proctored final examination. Winter (3) Garnett, Nicole.
LAW AND POLITICS: U.S. COURTS AS POLITICAL INSTITUTIONS. LAWS 51302. The purpose of this seminar is twofold. First, it introduces students to the political nature of the American legal system. In reviewing social science literature on courts, students focus on the relationship between the courts and other political institutions. The questions asked include the following: Are there interests that courts are particularly prone to support? What effect does congressional or executive action have on court decisions? What impact do court decisions have? Second, by critically assessing approaches to the study of courts, the course seeks to highlight intelligent and sound approaches. Particular concern focuses on assumptions students of courts have made, how evidence is integrated into their studies, and what a good research design looks like. This seminar may be taken for fulfillment of the Substantial Writing Requirement. There will be a mandatory preliminary meeting for interested students in the Autumn; law student enrollment is limited to 6. Autumn (3) Rosenberg, Gerald.

LAW AND PRACTICE OF ZONING, LAND USE, AND EMINENT DOMAIN. LAWS 90602. This seminar is a multi-disciplinary, multi-partisan discussion of the balance between private property rights and governmental regulation in land development. We primarily address (i) constitutional bases of private rights and public land use planning; (ii) eminent domain, takings and exactions (including impact fees and delays); (iii) current manifestations of local and regional planning and zoning, including City of Chicago Zoning Reform; and (iv) legal procedures and practical strategies for obtaining public financial incentives, land use approvals, and “relief” for real estate development projects, large and small. Prior course work in real property and constitutional law are encouraged. Course materials include cases, academic and trade-group commentaries, press coverage, and narrative and graphic exhibits for specific development projects. The student’s grade is based on attendance, spirited class participation, and, at each student’s election, either a paper or an open-book examination. Students writing a paper of 25 or more pages will earn 3 credit hours. Students taking the exam or writing a shorter paper of approximately 15 pages will earn 2 credit hours. Spring (var) Geselbracht, Thomas; Novak, Theodore; Cassel, Danielle.

LAW AND SCIENCE. LAWS 76602. This seminar will explore the following question: how can the legal profession, and the legal system generally, cope with the legal and regulatory issues thrown up by the extraordinary advances, and rapidly growing complexity, of modern science? These issues include (a list by no means exhaustive): the litigation of tort suits involving subtle causal relations, and, more generally, the problem of “junk science” and of control of scientific expert witnesses; the role of juries in patent-infringement suits; the challenge to privacy and to intellectual property posed by digitization; the collision between civil liberties and efforts to prevent bioterrorism; the legal response to global warming and other profound environmental problems; the teaching of evolution and “creation science” in public schools; and the control of dangerous technologies. In short, what is the role of law, in its doctrinal, procedural, and institutional aspects, in relation to modern science? To what extent should the legal system seek to control science? Should science be left to scientists? Must lawyers know science? A background in science is not required for enrollment in the seminar. Very short papers will be due each week, but a student who wants substantial writing credit may substitute a long paper for the short papers. Enrollment is limited to 30. Winter (3) Posner, Richard.
LAW AND TECHNOLOGY: CURRENT ISSUES. LAWS 91302. The goal of this seminar is to provide students with a chance to read unpublished work from the nation’s top intellectual property and telecommunications scholars. It is organized simply: each week, students read between one and three unpublished manuscripts written by some of the nation’s leading high-technology legal thinkers. Students then write response papers evaluating the manuscripts. We discuss those response papers, and the original manuscripts, in class. Substantial writing credit is available, but only with the instructor’s specific written permission. Autumn (2) Lichtman, Douglas.

LAW AND THE MENTAL HEALTH SYSTEM. LAWS 47001. The course is designed to help lawyers function effectively when issues of mental disability relate to legal issues. The course examines the interrelationship between legal doctrine; procedural rules; medical, cultural, and social scientific understandings of mental disability; and institutional arrangements affecting the provision of services to the mentally disabled. Consideration is given to admission to and discharge from mental health facilities, to competency to consent to or to refuse treatment, to surrogate decision-making for those found incompetent, to the rights of those confined in mental health facilities; to discrimination against the mentally disabled, and to the rights of the mentally disabled in the criminal justice system. This course may be taken for fulfillment of the Substantial Writing Requirement. Students have a choice of taking a final exam at the end of the quarter or writing a paper on a topic approved by the instructor. Autumn (3) Heyrman, Mark.

LAW AND THE POLITICAL PROCESS. LAWS 78701. This course surveys the legal regulation of elections and politics. Topics include the individual’s right to participate in the political process, redistricting and the distribution of electoral power, the role of race in the regulation of politics, the regulation of political parties, and campaign finance reform. The course will pay particular attention to the political theories and empirical assumptions that underlie judicial regulation in these areas. The student’s grade will be based on a take-home final examination and class participation. Autumn (3) Cox, Adam.

LAW OF EDUCATION. LAWS TBD. This course examines selected legal aspects of education including students’ rights, teachers’ rights, desegregation, educational finance, and church-state matters. A student’s grade will be based on a proctored final examination. Spring (3) Garnett, Nicole.

LAW, SCIENCE, AND MEDICINE. LAWS 93302. This seminar will address the intersection of law, science, and medicine, focusing on issues related to the “new genetics” and other advances in biotechnology. Topics will include gene therapy, reproductive technologies, human experimentation, and genetic enhancement. Students may choose to write two short papers or one longer, in-depth, three-stage paper, which will satisfy part of the writing requirement. Grades will be based on the papers and class participation. Enrollment is limited to 20 students. Spring (3) Palmer, Julie Gage.
LEGAL ASPECTS OF CHINA'S TRANSITIONAL ECONOMY. LAWS 80802. This short course addresses the main features of China's contemporary legal institutions with a special focus on their interaction with China's economic transition and integration into the world economy. Following a brief introduction to China's transition from a central planning economy towards a market economy, this course will cover topics including dynamics between constitution, legislations and regulatory rule making in a one-party state undergoing such an economic transition, reform of the judicial system and administrative law, challenge to property law from the disparity of rural and urban China during industrialization, and issues involving privatization of state enterprises, regulation of the financial market, and labor disputes. Controversies surrounding China on intellectual property protection and international trade will also be discussed. The student's grade will be based on class participation and two reaction papers. Winter (1) Chen, Ruoying.

LEGAL ELEMENTS OF ACCOUNTING. LAWS 79102. This mini-course introduces accounting from a mixed law and business perspective. It covers basic concepts and vocabulary of accounting, not so much to instill proficiency with the mechanics of debits and credits as to serve as a foundation from which to understand financial statements. The course then examines accounting from a legal perspective, including consideration of common accounting decisions with potential legal ramifications. It also analyzes throughout the reasons for and roles of financial accounting and auditing, as well as the incentives of various persons involved in producing, regulating, and consuming financial accounting information. The course will touch on some limitations of, and divergent results possible under, generally accepted accounting principles. Current cases, proposals, and controversies will be discussed. Attendance and participation will be very important. Grades will be based on a take-home final examination and class participation. Students with substantial prior exposure to accounting (such as students with an MBA, joint MBA/JD, and undergraduate finance or accounting majors) must seek instructor permission to take the course and will be graded based on a medium-length term paper. Students may not take this class and Financial Accounting for Lawyers (79101). Autumn (1) Sylla, John.

LEGAL INTERPRETATION. LAWS 51602. Many challenges in law come from the difficulty of interpreting words—always incomplete, often old. This seminar explores different methods of resolving interpretive problems: “plain meaning,” its cousin textualism; a search for intent (“original,” presumed, or imputed); functional analysis; and so on. The seminar asks how the competing approaches to decoding texts stand up on different criteria, such as consistency with principles of democratic governance (including the contributions of public choice theory) and the philosophy of language. Constitutional and statutory interpretation receive approximately equal emphasis. Enrollment is limited to 20 students. The student’s grade is based on a series of short papers. Successful completion of this seminar qualifies for the fulfillment of one of the Substantial Writing Requirements. Autumn (3) Easterbrook, Frank.
LEGAL PROFESSION. LAWS 41002. This course, which satisfies the professional responsibility requirement, will consider the law governing lawyers. Among the topics that will be examined are the nature of the lawyer-client relationship, competency, confidentiality, and conflicts of interest. Two sections are offered with the same basic content but slightly different focuses. A focus of the Autumn section will be the problems and issues that arise in the representation of corporate and institutional clients by lawyers at large law firms, including: new client intake, fee arrangements, timekeeping and billing, handling of lawyer-client disagreements and the rare troublesome client, the obligation of lawyers to report professional misconduct, and the obligations of lawyers when their clients act improperly or come under government scrutiny. A focus of the Spring section will be on some fundamental questions about who we are and what we stand for as lawyers. Students who take this course may not take for credit any other course fulfilling the American Bar Association’s mandated professional ethics course requirement. The student’s grade is based on an examination. Autumn (2) Collins, John. Spring (2) Alberts, Barry.

LEGAL RESEARCH AND WRITING. LAWS 30701. All first-year students participate in the legal research and writing program under the supervision of one of the six Bigelow Teaching Fellows. The work requires the student to become familiar with the standard tools and techniques of legal research and to write a series of memoranda and other documents representative of the lawyer's regular tasks. In the Spring Quarter, each legal writing section is divided into teams of students to prepare briefs in an appellate case and to argue the case before a panel of judges composed of members of the faculty and practicing lawyers. A prize, the Joseph Henry Beale Prize, is awarded for the outstanding written work in each legal writing section. The Bigelow Fellows also serve as tutor-advisors on an informal basis. Autumn (2) Abebe, Daniel. Autumn (2) Bowers, Josh. Autumn (2) Effron, Robin. Autumn (2) Fagundes, David. Autumn (2) Masur, Jonathan. Autumn (2) Sharp, Jamelle. Winter (1). Spring (1).

LEGAL WRITING AND ANALYSIS. LAWS 79902. This seminar will focus on legal writing and legal practice in the context of American commercial transactions and is specifically designed for, and limited to, the LL.M. students. The class will introduce basic legal skills with an emphasis on effective legal writing, including the structure and drafting of (a) legal memoranda and correspondence to clients and senior lawyers in a firm or business, (b) letters of intent, (c) contracts, and (d) other corporate and business documents. Substantive areas of commercial law and negotiation skills will also be examined in the context of the various documents being studied by the class. The seminar will be taught in its entirety in each of the Autumn and Winter quarters and will be graded on a Pass/Fail basis. Since the course will be taught twice, there will be an effort to equalize enrollment. To pass the course, a student must attend class, participate therein, and successfully complete written assignments. Autumn (2) Edwards, Charles. L. Winter (2)
LEGISLATION. LAWS 44201. An understanding of legislative process and statutory interpretation is increasingly necessary as the influence of statutory law broadens to affect a wide range of legal issues. Solutions to many problems facing today’s lawyer involve either knowledge of how legislation develops in Congress or understanding of how laws will be interpreted by the judicial and executive branches. Students examine the contemporary legislative process, including the procedural rules that govern Congress and state legislatures; the role of interest groups; and the major methodological and doctrinal issues of statutory interpretation by courts and agencies, such as the controversy over legislative history. These issues are discussed from legal, economic, and political perspectives. The student’s grade is based on a proctored final examination. Spring (3) TBA

LOCAL GOVERNMENT LAW. LAWS 71701. This course examines the law regarding provision of public goods and services at the state and local level. It explores the way in which local government law addresses the issues of what services a local government should provide, which residents should receive those services, who should pay for the services provided, and who should provide the answers to the previous questions. It explores the relationship among federal, state, and local governments, with particular emphasis on judicial analysis of the constitutional and statutory bases of those relationships. Grading is based on a proctored final examination. Spring (3) Roin, Julie.

MASS TORTS. LAWS TBD. This course takes an integrated and in-depth look at the combination of issues raised by complex mass tort lawsuits: issues of substantive tort law, civil procedure, scientific evidence, litigation strategy, lawyer-client relationships, settlement incentives, attorney compensation, ethics, the judicial role, and societal impacts. From these manifold perspectives, the course will closely examine a selection of major mass tort lawsuits, such as the Buffalo Creek disaster, the Woburn leukemia case, Agent Orange, the Exxon Valdez oil spill, and others (possibly including the Dalkon Shield, tobacco, asbestos, medical errors, guns, mad cow disease, contamination of blood donations, or others, selected after discussion with class members). The course will pursue a “full case method” - going beyond appellate decisions on particular legal issues to examine entire lawsuits taken as a whole, from dispute to filing to trial to appeals and beyond. The readings will emphasize historical accounts - books about the cases - that put the lawsuits in legal and social context. These will be supplemented by judicial opinions and scholarly commentary. Students will write six short papers, including one about each of five major cases and one final paper. There are no formal prerequisites, but students may find this course especially enriching if taken after or during courses such as Appellate Practice, Complex Civil Litigation, Dispute Resolution, Economic Analysis of Law, Ethics, Federal Courts, Trial Practice, Products Liability, Environmental Law, etc. TBA (3) Wiener, Jonathan.
MENTAL HEALTH ADVOCACY. LAWS 67013. Mental Health Advocacy teaches litigation and other advocacy skills. Under the supervision of the clinical teacher, students engage in individual and systemic litigation and legislative and other advocacy on behalf of indigent, mentally ill clients of the Law School’s Edwin F. Mandel Legal Aid Clinic. With the permission of the clinical teacher, students may choose to focus on litigation, legislation, or both. Students engaged in litigation may interview clients and witnesses; research and draft pleadings and legal memoranda, including briefs to reviewing courts; conduct formal and informal discovery; negotiate with opposing counsel and others; conduct evidentiary hearings and trials; and present oral argument in trial and appellate courts. Students who have completed sixty percent of the credits needed for graduation may be licensed to appear, under the supervision of the clinical teacher, in state and federal trial and appellate courts pursuant to court rules and practices. Students engaged in legislative advocacy may research and draft legislation and supporting materials, devise and implement strategies to obtain the enactment or defeat of legislation, negotiate with representatives of various interest groups, and testify in legislative hearings. In addition to discrete advocacy skills such as cross-examination, discovery planning, and legislative drafting, the course aims to provide students with an understanding of the relationships between individual advocacy tasks and the ultimate goals of clients, between litigation and legislative advocacy, and between advocacy on behalf of individual clients and advocacy for systemic change. Prior to the beginning of the third year, students who intend to engage in litigation are required to complete Pretrial Advocacy and either the Intensive Trial Practice Workshop or Trial Advocacy. Prior or contemporaneous enrollment in either Legislation or Legislative process is encouraged for students intending to engage in legislative advocacy. Prior or contemporaneous enrollment in Law and the Mental Health System is encouraged for all students. See the general rules for all clinical courses for further details concerning enrollment, including the rules governing the award of credit. Mental Health Advocacy satisfies part of the writing requirement if substantial written work is completed. Academic credit varies and will be awarded according to the Law School’s general criteria for clinical courses as described in the Law School Announcements and by the approval of the clinical teacher. Autumn (var) Heyrman, Mark. Winter (var). Spring (var).

NATIONAL IDENTITY AND CITIZENSHIP IN U.S. HISTORY. LAWS 76601. This course explores the ways that American national identity and citizenship have been legally, politically, and culturally construed at different moments in United States history. It shall examine juridical and social categories of belonging to the American nation and the political, legal, and cultural contests over inclusion and exclusion that have turned on property-holding, race, gender, and alienage in US history. The emphasis will be on U.S. history and historiography, that is, how have both contemporaries and historians defined the meaning(s) of being American? How has American identity cohered and fractured, endured and changed, over time, and with what consequences? We will read mainly from history but will draw also from recent theoretical work that problematizes nation and citizenship in various disciplines, including law, political theory, post-colonial theory, and cultural studies. The course is organized around thematic
issues and moves roughly across time: the American Revolution and the early republic;
colonialism and migration in the late nineteenth and early-twentieth century; pluralism
and multiculturalism from World War II to the present. Grades are based on the close
reading of texts and active, intelligent participation in class discussion; a ten-minute
oral presentation to launch discussion in one class, comprising commentary on read-
ings (not a summary) and a few questions for discussion. A one-page comments/ques-
tions to be posted on class e-mail listserv 24 hours before class. (To subscribe, go to:
https://listhost.uchicago.edu/mailman/listinfo/hist-628, to post a message, send to hist-
628@listhost.uchicago.edu); a short review essay of any book-length monographic
work on the syllabus, 4-5 pages in length. Due at the beginning of class the day it is dis-
cussed in class (no late papers); an essay, 15-20 pages in length, expanding on one of
the thematics of the course, drawing from at least three works from the selected bibli-
ography (see end of syllabus), and/or other books in consultation with the instructor.
Due Monday, Dec. 11, to instructor’s mailbox SS 19. Autumn (3) Ngai, Mae.

NATIONAL SECURITY AND THE RULE OF LAW. LAWS TBD. In this seminar,
we will consider application of the rule of law to selected national security issues, with
a focus on decisions facing counsel for government officials and private parties. Topics
covered may include the status, treatment, and ultimate disposition of the detainees at
Guantanamo Bay; what system of law applies to persons detained in the “war on ter-
ror”; whether U.S. policy on treatment of detainees is enforceable; the application of the
President’s war power to the “war on terror”; electronic surveillance programs; implica-
tions of an open-ended “war on terror”; whether U.S. policy on assassination in a “war
on terror” is enforceable; and abduction and rendition issues involving U.S. personnel
outside the U.S. Students will form teams of 2-4 persons; each team will select a real-
istic fact setting illustrating a topic of interest to research, write about, and present to
the class, which will collectively act as the client. Research will be expected to reach
beyond traditional law-related sources, as appropriate. Grades will be based on oral
presentation, classroom participation, and a 20-page paper due 4 weeks after the end
of the quarter. Class size limited to 20 students. Prerequisite: Constitutional Law. Win-
ter (3) Helman, Robert.

NATIONAL SECURITY LAW. LAWS 70701. We will study the law and policy relat-
 ing to national security threats and regulatory responses by government, especially the
threat of terrorism. Topics covered may include the constitutional law of emergencies,
executive power, and free speech; statutes such as the Foreign Intelligence Surveillance
Act and the USA PATRIOT Act; treaties such as the Geneva Conventions and the Con-
vention Against Torture; and recent legal controversies surrounding the detention and
interrogation of alleged enemy combatants. Although there are no formal prerequisites,
students who have taken Constitutional Law I will have acquired useful expertise in
some of the relevant issues. The student’s grade is based on a final examination. Winter
(3) Mitchell, Jonathan.

NEGOTIATION THEORY AND PRACTICE. LAWS TBD. Spring (3) Webber,
Henry.
NEGOTIATION AND MEDIATION. LAWS 98801. This course will introduce the theory and practice of negotiation and mediation across various contexts, including deal-making and dispute resolution. It will give students an organized theoretical framework for analyzing various parties’ positions and crafting thoughtful strategies. Students will develop their practical skills and individual styles through a series of simulation exercises, which will be executed inside and outside of class and then discussed and critiqued. Exposure to different techniques, styles, and contexts will be used to teach students what works best for them. Grades will be based on in-class exercises, a series of reaction papers based on out-of-class assignments, and a final negotiation that will be observed and evaluated by the instructors. Enrollment is limited to 24 students. Winter (3) Schmidt Randall; Kosuri, Praveen; Leslie, Jeff; Milnikel, Elizabeth.

NETWORK INDUSTRIES. LAWS 73501. This course addresses state and federal regulation of price, quality, and entry, with an emphasis on the regulation of natural monopolies, cost-of-service rate-making, rate design, and the problem of partial competition within a regulated environment. While the scope of the course precludes a detailed investigation of any particular industry or system of regulation, particular attention is paid to electrical generation and transmission, the Internet, and telecommunications, with exposure to problems of the other network industries, such as transportation and consumer electronics. This course emphasizes the substantive law and regulated industries and pays scant attention to the procedural questions addressed in Administrative Law, which should be taken at some point, but which is not a prerequisite for this course. The student’s grade is based on class participation and a final examination. Winter (3) Picker, Randal.

NON-PROFIT ORGANIZATIONS. LAWS 67802. This seminar explores the law associated with non-profit organizations. Such topics as fiduciary duties, conversions from non-profit to for-profit status, tax exemptions, charitable deductions, and limits on lobbying activities are included. We dwell on the underlying question of why some activities (and not others) are carried out in the non-profit sector. The student’s grade is based on class participation and a final examination. Enrollment is limited to 20. Autumn (2) Golden, William.

NONPROLIFERATION AND THE INTERNATIONAL TRADE IN NUCLEAR MATERIALS. LAWS 96902. This seminar examines the law and institutional structures put in place by the international community to promote the use of nuclear energy while simultaneously preventing the spread of nuclear weapons. The starting point is the 1970 Treaty on the Nonproliferation of Nuclear Weapons (“NPT”), the short eleven articles of which the class will review both in their original historical context and in their present application to the administrative and inspection work undertaken by the United Nations International Atomic Energy Agency. National regulation by the United States, as a nuclear weapons state under the NPT, will be explored in detail, especially as it relates to the transfer of nuclear technology to allegedly non-compliant states like Iran and North Korea. The goal of the seminar is to gain a clear understanding of the treaty’s continuing role in the two very different worlds of international security and commercial nuclear power. Students will be evaluated on the basis of a paper. Spring (3) Thompson, Michael.
PARENT, CHILD, AND THE STATE. LAWS 47101. This course examines the legal rights of parents and children and the state’s authority to define and regulate the parent-child relationship. Among the topics discussed are children’s and parent’s rights of expression and religious exercise, termination of parental rights and adoption, paternity rights, the state’s response to child abuse and neglect, the role of race in defining the family, and the legal issues raised by the development of new reproductive technologies. The student’s grade is based on a proctored or take-home examination. Spring (3) Buss, Emily.

PARTNERSHIP TAXATION. LAWS 44301. This course examines income tax aspects of partnerships. Partnerships have become a widely used business structure, particularly since the invention of limited liability companies and the increase in the number of start-up ventures. The course focuses on formations, distributions, income allocations, borrowings, and liquidations of partnerships, with a special focus on using the tax rules in a transactional setting. Introductory Income Tax is a prerequisite. The student’s grade is based on a final examination and class participation. Spring (3) Golden, William.

PATENT LAW. LAWS 78001. This is a basic course in patent law, in which the class is introduced to the governing statutes, core concepts, and influential court decisions. Students without a technical background are nevertheless encouraged to enroll. Patent cases often involve complicated technologies, but the key to understanding the relevant legal issue almost never turns on an understanding of the patented technology itself. Student grades are based on an in-class final examination. Spring (3) Lichtman, Douglas.

PATRIOTISM AND COSMOPOLITANISM. LAWS 52402. What is a nation, and why might it be appropriate to be attached to one’s own nation in a special way? Are there any good reasons why we should not always have equal concern for all human beings and seek to promote their good equally? (And who has the burden of proof here, the cosmopolitan or the defender of local loyalties?) If there are such reasons, do they give us reason to make the nation special, rather than to focus on other, frequently narrower, loyalties, such as those to one’s family, ethnic or religious group, sports team? Why did Marcus Aurelius say that his first lesson in being a good person was “not to be a fan of the Greens or Blues at the races, or the light-armed or heavy-armed gladiators at the circus”? Why did Sir Walter Scott say that a person who lacks patriotic emotion for his own native land “living shall forfeit fair renown/And, doubly dying, shall go down/To that foul hell from whence he sprung,/Unwept, unhonored, and unsung?” Why did Wilfred Owen say, of the better man of the future, “He wars on Death — for Life/Not men — for flags.”? How is each philosophical position linked to a distinctive understanding of the good man and of manly virtue? What is patriotic emotion, and how is the apparently benign emotion of love of country linked to other more problematic emotions, such as anger, fear, the sense of humiliated masculinity, etc.? We will pursue these questions by reading a wide range of philosophical authors who have addressed the topic, including Cicero, Marcus Aurelius, Adam Smith, J. G. von Herder, Ernst Renan, V. D. Savarkar, M. S. Golwalkar, J. S. Mill, Rabindranath Tagore, Kwame Anthony Appiah, Amartya Sen, Jürgen Habermas, Samuel Scheffler, Richard Rorty, and Alasdair MacIntyre. We will also focus throughout on treatments of (a) patriotism, (b) anti-patriotism, and (c) cosmopolitanism in the arts, including literary works by
Rabindranath Tagore, Wilfred Owen, and Walt Whitman, and also including selected films dealing with nationalism in the context of war. Enrollment limited to 25. Permission of the instructor required, and this should be sought in writing (e-mail) by September 20. A minimum prerequisite is an undergraduate major in philosophy or the equivalent course work in philosophy. Autumn (3) Nussbaum, Martha.

**POVERTY AND HOUSING LAW CLINIC. LAWS 90512.** This practicum, conducted over two sequential quarters, exposes students to the practice of poverty law work by giving them the opportunity to work on housing-related cases at the Legal Assistance Foundation of Metropolitan Chicago, which provides free legal services to indigent clients in civil matters. Students will spend at least thirteen hours per week in one of LAFMC's six neighborhood offices—located in Chicago's South Side, West Side, and Northwest Side, in the Loop, and in Evanston and Harvey—or in LAFMC's Housing Law Project or Foreclosure Prevention Project (both of which are located in downtown Chicago). Students may be asked to appear with tenants at administrative grievance hearings, represent defendants in eviction or foreclosure actions, file suit to enjoin landlords from performing lock-outs or refusing to make necessary repairs, participate in ongoing federal litigation, advocate on behalf of tenant groups, comment on proposed federal housing regulations, and file bankruptcy petitions on behalf of subsidized-housing residents who are trying to preserve their tenancies. All students will be expected to interview clients, prepare written discovery, and draft motions. Students with 711 licenses may be asked to appear in court at status hearings, conduct depositions, argue contested motions, negotiate with opposing counsel, and participate in bench or jury trials. In addition to working at LAFMC, students will attend a weekly two-hour seminar at which they will learn about laws governing the landlord-tenant relationship, eviction actions, foreclosures, public housing, the Section 8 tenant-based and project-based rental assistance programs, housing discrimination, the affordable housing crisis, and preservation and production of affordable housing. Enrollment is limited to twelve students. This practicum is run by Richard Wheelock (supervisory attorney, LAFMC's Housing Law Project) and Lawrence Wood (supervisory attorney, LAFMC's Northwest Office). The student's grade is based on class participation (20%); one paper—10 pages minimum (10%); and work at LAFMC (70%). Winter (3) Wheelock, Richard; Wood, Lawrence. Spring (3).

**PRACTICING CORPORATE LAW. LAWS 43902.** In this seminar we will consider issues of current interest in corporate law practice, with a focus on decisions facing counsel for corporations, directors, officers, advisors, regulators, and policy makers. Subjects to be covered include a broad range of corporate governance and strategic transaction issues, reform proposals, securities and corporate litigation, and the role of legal advisors, but will be adapted to match students. Students will form teams of 2-4 persons; each team will select a realistic fact setting illustrating a topic of interest to research, write about, and present to the class, which will collectively act as the client. Research will be expected to reach beyond, as appropriate, traditional law-related sources. Grades will be based on oral presentation, classroom participation, and a 20-page paper due 4 weeks after the end of the quarter. Class size is limited to 20. Prerequisite: Corporations. Winter (3) Helman, Robert.
PRE-TRIAL ADVOCACY. LAWS 67403. This seminar focuses on fundamental pre-trial litigation strategies and skills, including creation and evaluation of legal and factual theories, pleading and motion practice, interviewing clients and witnesses, discovery planning, depositions and pretrial preparation. The seminar employs a variety of learning methodologies, including lectures, small group discussions, simulated exercises, and videotaped performances by students. Evidence is a prerequisite. Students taking Pre-trial Advocacy are also eligible to enroll in the Intensive Trial Practice Workshop. The student’s grade is based on class participation. Enrollment is limited to 48 students with preference given to students who have been accepted into a clinic course. Students who have taken Advanced Trial Advocacy (LAWS 93802) may not take this course. Spring (2) Conyers, Herschella; Futterman, Craig; Heyrman, Mark; Mather, Melissa; Milnikel, Elizabeth; Schmidt, Randall; Stone, Randolph.

PRICE THEORY. LAWS 43611. The focus of this course is on the theory of consumer choice, including household production, indirect utility, and hedonic indices; supply under competitive and monopolistic conditions; static and dynamic cost curves, including learning by doing and temporary changes; uncertainty applied to consumer and producer choices; and market equilibrium and its stability. Autumn (3) Becker, Gary; Murphy, Kevin; Neal, Derek.

PRICE THEORY 2. LAWS 43621. The focus of this course is on the theory of consumer choice, including household production, indirect utility, and hedonic indices; supply under competitive and monopolistic conditions; static and dynamic cost curves, including learning by doing and temporary changes; uncertainty applied to consumer and producer choices; and market equilibrium and its stability. Winter (3) Becker, Gary; Murphy, Kevin; Reny, Philip.

PRIVACY. LAWS 79501. This course surveys society’s efforts to draw boundaries between the public and private spheres, with a focus on the legal regimes governing the collection, aggregation, and dissemination of private information. The course devotes substantial attention to the privacy-related torts, government surveillance, privacy-related First Amendment issues, and health care and genetic privacy. Other substantive topics that may be covered include consumer privacy on the Internet, Megan’s Law, associational privacy, the Freedom of Information Act’s privacy provisions, and international privacy law. The student’s grade is based on a final examination and class participation. Spring (3) Strahilevitz, Lior.

PROPERTY. LAWS 30401. This course, offered over two sequential quarters, provides an introduction to the legal relationships that arise out of or constitute ownership of property. Subjects covered may include, but are not limited to, such areas as the initial acquisition of rights in real and personal property, the nature of ownership of natural resources, the various types of concurrent and successive interests in land, and restraints on alienation. The course will also deal with the law relating to easements and covenants, landlord and tenant, and conveyancing. The student’s grade is based on a single final examination. Autumn (3) Helmholtz, R.H., Strahilevitz, Lior. Winter (3).
PUBLIC CHOICE. LAWS 69001. This intensive course focuses on the relationship between modern perspectives on voting and interest groups on the one hand and legislation and judicial interventions on the other. The problems associated with collective decision-making illuminate interactions between legislatures and judges, democracy's attempt to solve certain problems, and the roles played by a variety of legal doctrines and constitutional institutions (from takings law and standing, to line-item vetoes and term limits and balanced budget amendments). In short, students arm themselves with the literature on interest groups and democratic decision-making in order to explore a wide variety of social problems and legal rules. The basis of the grade will be a final examination. Spring (1) Levmore, Saul.

PUBLIC LAND AND RESOURCES LAW. LAWS TBD. Spring (3) Helmholz, R.H..

QUANTITATIVE METHODS. LAWS TBD. Familiarity with quantitative reasoning and statistics is increasingly an important part of a lawyer's job. This course will prepare students to apply quantitative tools from statistics, finance, and economics to problems of legal importance. Topics covered include valuation of assets in markets, linear regression, common statistical distributions, and calculation of damages. In addition to a main textbook, sources for course material are drawn from legal cases, scientific studies, and journal and newspaper articles. The goal of the course is for students to develop their quantitative intuition through practical application, including the use of computer tools such as Excel. No specific mathematical background is required. A student's grade will be based on class participation and a proctored examination. Winter (3) Abrams, David.

READINGS IN LEGAL THOUGHT. LAWS 57012. Students in this seminar read a selection of important works in the development of Anglo-American legal thought from the eighteenth century to the present. In the past, authors have included Blackstone, Bentham, Mill, Holmes, Llewellyn, Frank, Bickel, Calabresi, Posner, MacKinnon, Scalia, Cass, and others. Students submit a commentary on each reading prior to its being discussed in class. This seminar, which will meet five times (6-8 pm) over the course of the year, may be taken for fulfillment of the Substantial Writing Requirement. Grades are based on written submissions and class participation. Enrollment is limited to 14 students. Autumn (1) Ginsburg, Douglas. Winter (1). Spring (1).

REGULATION OF FINANCIAL INNOVATIONS: HEDGE FUNDS, CREDIT DERIVATIVES, AND THE MAN. LAWS TBD. Nobel Laureate (and Chicago's own) Merton Miller wrote in 1986 that the past twenty years had seen ten times as much financial innovation – new products and services – than in the entire course of history to that point. Miller also predicted that the trend would continue. And how. In the twenty years since Miller’s piece, roughly the era from junk bond king Michael Milken to hedge fund kings Carl Ichan and Eddie Lampert, there has been another spurt of innovation that rivals that of the growth of derivatives in the 1970s and 1980s. Not surprisingly, the tremendous opportunity and change brought about by these new financial instruments has caused angst in the halls of academia and power. What we don't understand, we fear; what we fear, we regulate. In this seminar, we will consider the
dynamic interaction between regulators (in Congress, at the SEC, at the Treasury Department, at the CFTC, at the NYSE, and so on) and the innovators. We will consider the design, wisdom, and efficacy of the regulation of hedge funds, credit derivatives, currency markets, and other financial innovations of the past decades. Assignments will consist primarily of edited articles from law, business, and finance journals. Grades will be based on participation and a series of short reaction papers. Enrollment limited to 15 students. Autumn (2) Henderson, M. Todd.

REMEDIES. LAWS TBD. The way in which the law responds to violations of rights is no less important than the way in which those rights are allocated. The law of remedies determines the law's response to violations of rights, and, in so doing, it delineates their boundaries and gives them legal meaning. Hence, the study of the law of remedies is closely related to the study of the substantive law, each field shedding light on the other. This course focuses on remedies in Contracts and Torts, referring to the goals of the substantive law better to understand the remedial law. It explores the law of damages in both Contracts and Torts and covers topics such as restitutionary damages, probabilistic recoveries, the relationship between damages and non-legal sanctions, evidential damage, and punitive damages. The course also covers the remedies of specific performance in Contracts and injunction in Torts and compares and contrasts these remedies with monetary ones. Some of the defenses available to both the breaching party and the wrongdoer, such as mitigation of damages and comparative fault, in Torts and in Contracts, will also be discussed. Autumn (3) Porat, Ariel.

SARBANES-OXLEY ACT. LAWS 48602. This class will examine the changes brought about by the Sarbanes-Oxley Act both in terms of reporting requirements for public companies and the Act’s impact on securities litigation. A student’s grade will be based on class participation and a final paper. Winter (3) Bunge, Jonathan; Krulewitch, Jerry.

SECURED TRANSACTIONS. LAWS 42201. This course deals with the many legal issues that come into play when there are collateralized loans for which the collateral is personal property. Students focus on Article 9 of the Uniform Commercial Code, the Bankruptcy Code, and other related laws. This form of lending is central to our economy, and the applicable legal doctrines are ones that every corporate and commercial lawyer should firmly grasp. The course is a useful, though not absolutely essential, preparation for Bankruptcy. The student’s grade is based on a proctored final examination. Autumn (3) Baird, Douglas.

SELECTED TOPICS IN BEHAVIORAL LAW AND ECONOMICS. LAWS 51702. This seminar will explore a set of “frontiers” - issues at the intersection of law and human behavior, including people’s conduct under risk and uncertainty, the commitment to fairness, differences between men and women, social influences and peer pressure, extremism, adaptation, happiness, discrimination, judicial behavior. The Chicago Judges Project and its immense data set about federal judicial votes will be part of the discussion. Some discussion will be devoted to the uses and limits of paternalism. Grades will be based on class participation and a series of papers or a major paper; either option may earn substantial writing credit. TBA (3) Sunstein, Cass.
SPORTS LAW. LAWS 63902. This seminar focuses on current issues in sports law including eligibility rules, drug testing, ownership structure, antitrust issues, labor, publicity rights, governance of the game, and the role of criminal and tort law for on-field actions. This seminar will also examine some of the statutes that govern sports in the U.S. such as the Ted Stevens Olympic and Amateur Sports Act. The student’s grade is based on class participation and a series of short papers. Winter (3) Collins, John.

STRUCTURING INTERNATIONAL TRANSACTIONS. LAWS TBD. This course is designed to introduce students to certain aspects of structuring international transactions, with the goal of giving them some of the tools they will need as practicing lawyers in order better to respond to and resolve new and unexpected structuring problems clients will bring to them. We will start with some analysis of why parties need or wish to structure transactions, then study common structuring issues in cross-border deals, such as weak legal systems, international tax planning, foreign investment and other legal regulations and restrictions, and allocations of commercial risks. The types of structures covered may include joint ventures, synthetic leases, syndicated lending, project financed infrastructure projects, minority investments, and structuring work-outs of defaulted loans. Each structure could be the subject of a full course, so this course is meant to introduce students to a variety of structuring situations and techniques. A student’s grade is based on 2-3 short written assignments, a team project (a longer written assignment and class presentation), and class participation. Autumn (3) Vega-Byrnes, Thomas.

STRUCTURING VENTURE CAPITAL, PRIVATE EQUITY, AND ENTREPRENEURIAL TRANSACTIONS. LAWS 71401. This course covers the tax and legal principles applicable to a series of interesting, complex, current entrepreneurial transactions, utilizing venture capital or private equity financing, including (1) a new business start up; (2) a growth equity investment in an existing business enterprise; (3) a leveraged buyout of a private or a public company (including a going-private transaction); (4) use of a flow-through tax entity such as an S corporation, a partnership, or an LLC, for a variety of venture capital or private equity financed transactions; (5) a restructuring of an existing enterprise to provide better incentives to key executives; (6) devising an equity-based executive compensation program; (7) a restructuring or workout (in or out of bankruptcy) for the troubled over-leveraged enterprise; (8) devising an exit scenario for the successful venture capital or private equity financed enterprise (such as IPO, SEC rule 144 sales, or sale of the company); (9) utilizing NOL of a troubled company after a venture capital or LBO deal; and (10) forming a new venture capital, LBO, or private equity fund. Substantive subjects covered include federal income tax, securities regulation, corporate law, partnership law, LLC law, bankruptcy law, fraudulent conveyance law, and other legal doctrines and accounting rules and practical structuring issues (including use of common and preferred stocks, convertible debentures and convertible preferred, warrants, and options) relevant to entrepreneurial transactions. The course reviews these tax, legal, and accounting principals in a transactional context and also considers their policy underpinnings and likely future evolution. There are no specific prerequisites. However, Introductory Income Tax is strongly
recommended, and Taxation of Corporations I is desirable. In addition, knowledge of corporate law, securities regulation, bankruptcy, and accounting is helpful. The appendix to the course book plus assigned supplementary readings contains adequate precedents for an understanding of the material covered by the course. The student's grade is based on a final examination. Graduating students are required to take the final examination in the early examination period. Spring (3) Levin, Jack; Rocap, Donald.

**TAXATION OF CORPORATION I. LAWS 75801.** This course examines income tax aspects of the formations, distributions, and liquidations of corporations. The focus is on transactional and planning aspects of the corporate tax. Introductory Income Tax is recommended. The student's grade is based on class participation and a final examination. Winter (3) Weisbach, David.

**TAXATION OF CORPORATION II. LAWS 75901.** This course surveys the taxation of reorganizations and other adjustments involving continuing businesses: mergers, asset and stock acquisitions and other similar shifts of ownership and control; recapitalizations; and divisions. Points of focus are the recognition of gain and loss and the survival and allocation of tax attributes (basis, earnings, and loss carryovers) in these transactions. Taxation of Corporations I and Introduction to Income Tax are recommended. Students' grades based on a final proctored examination. Spring (3) Weisbach, David.

**TELECOMMUNICATIONS LAW AND POLICY. LAWS 70401.** This course examines the legal framework for the regulation of radio, broadcast television, cable television, and the telephone system. After learning the basics, students focus on specific problem areas, including the regulation of indecent speech; compelled access in its various forms; network effects; and questions about the proper interaction between the Federal Communications Commission, the federal courts, state regulatory authorities, and Congress. The student's grade is based on a proctored final examination. Winter (3) Lichtman, Douglas.

**TELECOMMUNICATIONS LAW: ADVANCED ISSUES. LAWS 64802.** This seminar allows students to focus on advanced issues beyond those explored in the core telecommunications course. The seminar analyzes the interplay of antitrust and regulatory regimes, including the uses of regulation to create barriers to entry. The seminar will include current topics in regulatory policy, especially those deriving from cable, wireline and wireless competition; Internet telephony; and access of content, hardware and software providers to these distribution channels. Students will have the opportunity for independent research and writing, which may cover international subjects. Students must have taken Telecommunications Law (70401) or receive instructors' permission to enroll. The student's grade is based 50% on a major paper and 50% on class participation. Enrollment is limited to 20. Spring (3) Kamin, Chester; Harrington, John.
TEXTS OF INDIAN MODERNITY: RABINDRANATH TAGORE’S WRITINGS ABOUT NATION, UNIVERSALISM, GENDER AND FAITH. LAWS TBD. The course will look at a selection of Tagore’s writings in English translation, focusing on those themes which have gained a new relevance in the light of post colonial debates on universalism and cultural particularism, the politics of nationalism and gender in modern times. It will offer a mix of philosophical writings (Religion of Man), novels (Ghare baire or Home and the World and Jogajog or Relationships), short stories (The Wife’s Letter and The Exercise Book), and political essays (Nationalism). It will also offer a few poems from The Crescent Moon and a play, The Post Office. The readings would be framed within four or five critical writings on Tagore and his historical-political context. Autumn (3) Sarkar, Tanika; Nussbaum, Martha.

THE HISTORY OF AMERICAN FEDERALISM: ORIGINS TO THE CIVIL WAR. LAWS TBD. This seminar examines the history of American federalism, both as a constitutional value and as a product of intellectual history, from its early modern European antecedents to current-day political and constitutional debates. The central idea of American federalism has long been the proposition that a group of states could unite to create a government structure based on a central (federal) authority, to which authority the states surrender certain of their own powers, and which authority wields a measure of power over individual citizens. Yet this federal idea has not been stable throughout the history of the Republic. On the contrary, controversy over the meaning of federalism has stood at the center of many of the nation’s greatest conflicts, from the Constitutional Convention to the War of 1812 to the Civil War. What was the origin of federalism’s central idea of divided sovereignty? How has the meaning of federalism changed throughout American history? What, if any, aspects of the idea have remained constant? This seminar will discuss historical questions of causation and influence, as well as the structure and workings of the American legal system. Emphasis will be on selected moments of tension in the development of the federal idea. The course will require extensive reading and discussion of primary source materials on the history of federalism. This seminar may be taken for fulfillment of the Substantial Writing Requirement. The student’s grade will be based on class participation and a substantial paper. Autumn (3) LaCroix, Alison.

THE LAW, POLICY, AND POLITICS OF POLICING STRATEGIES. LAWS 96202. This course explores the legal, organizational, and political implications of law enforcement strategies, such as hot spot policing, video surveillance, gang targeting, handgun control, and community policing. The class examines how decision-makers craft and advance crime legislation; how law enforcement, government, and community organizations consider and implement anti-crime strategies; and how policy-makers evaluate the political sustainability of anti-crime initiatives. The student’s grade is based on a final paper. Winter (3)Crowl, Matthew; Huberman, Ron; Cabou, Jean-Jacques.

THE POLITICS OF DIFFERENCE. LAWS TBD. Winter (3) Young, Iris Marion.
TOPICS IN STATE AND LOCAL FINANCE. LAWS 62202. This seminar examines the implications of choosing between the various revenue sources available to states and localities. Students are asked to consider questions of “inter-jurisdictional equity,” “inter-generational equity,” and “vertical equity” in the context of topics such as public school finance, the use of municipal bonds, tax competition, and tax cooperation. The student’s grade is based on a series of short papers and class participation. Autumn (3) Roin, Julie.

TOPICS IN U.S. HEALTH ECONOMICS, SOCIOLOGY, AND POLICY. LAWS 97002. This seminar will explore three related topics: (1) should quality be evaluated and rewarded in health care? if so, how should this be done? (2) does the U.S. medical malpractice system facilitate or obstruct efforts to improve quality and reduce medical errors? (3) U.S. medical care has high costs of administrative complexity. Compared to a single payer system, these costs result from using the market to provide health care. To what extent does this complexity generate benefits as well as costs? What modifications, if any, might reduce the costs of complexity without losing benefits? We will approach these topics by drawing from debates in the literatures of health policy, law, and organizational institutional sociology and economics. Each student will write a paper related to one of the above topics and will give a presentation in class that presents work in progress on the paper. There will be no exams. Class size will be limited to 12. Admission to the course is by permission of the instructor (may be obtained in advance or at the first class). The course is intended for graduate students in law, business, sociology, economics, and public policy, as well as for physicians involved in fellowships in the medical school. Grading: class participation: 30%; presentation of paper/work-in-progress: 25%; paper: 45%. Winter (3) Casalino, Lawrence.

TORTS. LAWS 30601. The focus of this course, offered over two sequential quarters, is on the Anglo-American system (mainly judge-created) of liability for personal injury to person or property. Special stress is laid on the legal doctrines governing accidental injury, such as negligence and strict liability, assumption of risk, and the duty requirement. The rules for determining damages in personal-injury cases are discussed. Alternative theories of tort liability, e.g., moral and economic, are compared. The student’s grade is based on a single final examination. Autumn (3) Epstein, Richard; Gersen, Jake. Winter (3) Levmore, Saul; Miles, Thomas.

TRADE SECRETS. LAWS 45902. This seminar will examine the law that governs the protection of trade secrets and other confidential proprietary information. This body of law is given short shrift in intellectual property courses, notwithstanding the importance of trade secrecy protection in the increasingly information-based economy. Topics to be covered may include the evolution of trade secrets law in the United States; the relationship between trade secrets, patent law, contract law, and information privacy law; the reasonable precautions requirement; trade secret misappropriation; the relationship between trade secret protection and employee mobility; and remedies in trade secret litigation. Most of the reading for the seminar will consist of trade secret cases, to be supplemented by some economic, sociological, and historical readings on trade secrecy protection. Students will be graded on the basis of several short response papers, one somewhat longer research paper, and class participation. Spring (3) Strahilevitz, Lior.
TRADEMARKS AND UNFAIR COMPETITION. LAWS 45701. The focus of this course is on federal and state laws designed to protect trademarks and to protect against unfair competition, including misappropriation and false and deceptive advertising. The course also examines state laws protecting rights to publicity. The student's grade is based on class participation and a final proctored examination. Spring (3) Landes, William.

TRANSACTIONAL LAWYERING. LAWS AUTUMN. (1) Milnikel, Elizabeth; Kosuri, Praveen.

TRIAL PRACTICE: STRATEGY AND ADVOCACY. LAWS 91702. This seminar will focus on how trial lawyers develop strategy and themes from the beginning of a lawsuit through trial. The instruction will be by lectures, demonstrations, and participation in “learning-by-doing” exercises. This seminar will be centered on a specific trial problem (including a mini-trial at the end of the seminar), but attention also will be given to decision-making in the pre-litigation phase and how those decisions may affect a trial’s outcome. Students will learn how to use depositions, written discovery, expert witnesses, motions, and technology as effective litigation tools. While the instructor strongly recommends that students have a good understanding of the Federal Rules of Evidence before taking the seminar, this is not a prerequisite. Final grades will be based on a fifteen-page trial brief, class participation, and performance during the mini-trial. Enrollment is limited to 18 students. Winter (3) Fields, Barry.

TRUSTS AND ESTATES. LAWS 45201. This course examines the laws governing the disposition of property at death, including statutory schemes for intestate succession, wills (including preparation, execution, modification and revocation, capacity, and interpretation), trusts and other non-testamentary means of transferring property at death, and statutory constraints on freedom of disposition of property. The course will use the Uniform Probate Code as a base, contrasting its recommendations with the statutory laws of other jurisdictions as appropriate. One goal of the course is to obtain an understanding, both formal and pragmatic, of the elements of a common practice area. A second goal is to examine how rules and standards in this fairly conservative area of the law do accommodate, and should accommodate, social and technological changes, such as assisted conception procedures, artificial life support, untraditional families, and changes in the predominant forms of wealth. A third goal is to investigate the overlap of trusts and estates with evolutions in family law and the extent to which these types of property relations should be directed by the state or left to individual determinations. Grades are based on class participation and a proctored final examination. Winter (3) Helsinger, Howard.

WHITE COLLAR CRIMINAL PRACTICE AND ADVOCACY. LAWS 92202. This seminar is a practical study of white-collar criminal statutes, pre-indictment representation, and trial advocacy. The course will cover the substantive white collar criminal law of corporate criminal liability, mail and wire fraud, conspiracy, criminal antitrust, tax
fraud, and the United States Sentencing Guidelines. It will also address from a procedural perspective corporate internal investigations, grand jury investigations, representation of targets and subjects, and pretrial motion practice. Time permitting, this course will include lectures, demonstrations, and student simulations of pretrial negotiations, opening statements, direct and cross examinations, closing arguments, and effective sentencing advocacy in the white-collar criminal context. Evidence and Criminal Procedure are prerequisites. Enrollment is limited to 16 students, and interested students are required to submit, via e-mail to the instructor (robert.tarun@lw.com), a statement of interest in white-collar criminal law. Statements are due upon registration. The student’s grade is based on an eight-hour take-home examination (85%) and on class participation (15%). Autumn (2) Tarun, Robert.

WORKSHOP: CONSTITUTIONAL LAW. LAWS 63612. This workshop, conducted over three sequential quarters, exposes students to recent academic work in constitutional law and the theory of constitutional interpretation. Workshop sessions are devoted to the presentation and discussion of papers from outside speakers, at six to eight sessions to be conducted regularly throughout the academic year. This workshop may be taken for fulfillment of the Substantial Writing Requirement. Grading is based on a substantial paper. Enrollment is limited. Autumn (1) Strauss, David. Winter (1). Spring (1).

WORKSHOP: CRIME AND PUNISHMENT. LAWS 52612. The study of crime and punishment has always held a prominent place in the social sciences and professional schools at the University of Chicago. This workshop carries on this tradition. Providing an interdisciplinary forum for faculty and graduate students to present current research, it allows participants to contribute to the development of new understandings of crime and society’s response to crime. This workshop will host a series of lively and interactive presentations covering such topics as incarceration, social disorganization, the geography of crime, street gangs, and state interventions. Sessions will be held roughly every two weeks. Grading will be based on reaction papers and participation in the workshops. Autumn (1) Harcourt, Bernard; Miles, Thomas. Winter (1). Spring (1).

WORKSHOP: FOSTER CARE PROJECT. LAWS 63512. Former foster youth are far more likely than other young adults to experience homelessness, joblessness, impoverished parenthood, mental illness, and jail. This is, in part, because they are poorly prepared by the state (their substitute parent) for independence, and, in part, because they lack the supports most young adults continue to rely on through their twenties. The aim of the Law School’s Foster Care Project is to develop proposals for legal reform that could improve the fate of foster youth as they make the transition to independence. As part of this Project, Emily Buss will be offering a year-long seminar that will meet approximately 10 times over the course of the year. Seminar participants will, through research, discussions, and drafting, participate in the development of policy recommendations that will be shared with judges, legislators, lawyers, and other advocates throughout the nation who are interested in addressing this serious problem. Seminar sessions will consist of group discussions, individual presentations, and guest speakers. Participation will be limited to 10 students. Autumn (1) Buss, Emily. Winter (1). Spring (1).
WORKSHOP: LAW AND ECONOMICS. LAWS 56012. This workshop, conducted over three sequential quarters, is devoted to the intensive examination of selected problems in the application of economic reasoning to a wide variety of legal questions. Workshop sessions will be devoted to the presentation and discussion of papers by students and by members of the faculty of the University of Chicago and of other institutions. The workshop meets every other week throughout the academic year. Students enrolled in the workshop receive five credits at the end of the Spring Quarter. Grading is based on the completion of a substantial paper that satisfies the Substantial Writing Requirement. Autumn (2) Weisbach, David. Winter (2). Spring (1).

WORKSHOP: LAW AND PHILOSOPHY. LAWS 61512. This is a seminar/workshop most of whose participants are faculty from various area institutions. It admits approximately ten students by permission of the instructors. Its aim is to study, each year, a topic that arises in both philosophy and the law and to ask how bringing the two fields together may yield mutual illumination. There are twelve meetings throughout the year, always on Mondays from 4 to 6 PM. Half of the sessions are led by local faculty, half by visiting speakers. The leader assigns readings for the session (which may be by that person, by other contemporaries, or by major historical figures), and the session consists of a brief introduction by the leader, followed by structured questioning by the two faculty coordinators, followed by general discussion. Students write either two 4-6 page papers per quarter, or a 20-25 page seminar paper at the end of the year. The course satisfies the Law School Writing Requirement. The schedule of meetings will be announced by mid-September, and prospective students should submit their credentials to both instructors by September 20. Past themes have included practical reason; equality, privacy, autonomy, global justice, pluralism and toleration, war, sexuality, and family. Students are admitted by permission of the instructors. They should submit a c.v. and a statement (reasons for interest in the course, relevant background in law and/or philosophy) by September 20 to Nussbaum by e-mail. Usual participants include graduate students in philosophy, political science, and divinity, and law students. The theme for 2006-7 will be Disability. Speakers to be invited include Eva Kittay, Anita Silvers, Jeff McMahan, Ann Davis, Sam Bagenstos, Ruth Colker, Michael Stein, Elizabeth Emens (outside visitors); Adam Samaha, Richard Posner, Daniel Brudney, Martha Nussbaum, Iris Young (locals). Autumn (1) Nussbaum, Martha; Koppelman, Andrew. Winter (1). Spring (1).

WORKSHOP: LAW AND POLITICS. LAWS 63712. This workshop, conducted over two sequential quarters, is devoted to the intensive examination of selected problems arising at the intersection of law and politics. Workshop sessions will be devoted to the presentation and discussion of papers by members of the faculty of the University of Chicago and of other institutions. The substance and methodological orientation of the papers will both be diverse, but may include issues concerning legislative process, electoral structures, and the constitutional constraints on political institutions. The workshop will meet every other week during Fall and Winter quarters. Grading is based on class participation and the completion of 3 to 5 page papers that respond to the paper being presented. Autumn (1) Cox, Adam; Gersen, Jacob. Winter (1).
WORKSHOP: LEGAL SCHOLARSHIP. LAWS 78711. This multiquarter workshop is designed for students interested in developing either an existing paper (in need of substantial revision) or new research into a publishable article. In the Autumn quarter the course will be run as a faculty mini-workshop for Chicago area scholars to present their work, allowing the class to comment on their scholarship and learn about presentation skills. In the Spring Quarter the class will function as a workshop for students, enabling them to present their papers. In preparation for each meeting, students will submit short (2-3 page) critiques of the author’s paper. Along the way, during the Autumn and Spring quarters, the professors will work with each student to get his/her piece into publishable shape. The student’s grade is based on attendance, participation, and quality of the final writing. Autumn (2) Bernstein, Lisa. Winter (1). Spring (2).
INDEPENDENT STUDY

INDEPENDENT RESEARCH. 499. Second- and third-year students may earn course credit by independent research under the supervision of a member of the faculty. Such projects are arranged by consultation between the student and the particular member of the faculty in whose field the proposed topic falls.

Special rules regarding credit, permission, and requirements for submission of written work are set forth in the Law School Student Handbook. Students wishing to register for 499 credit should consult the Registrar or the Assistant Dean for Academic Affairs.

Before being granted permission to register for 499 work, students must submit a project proposal to the supervising faculty member. In considering possible fields or topics for such projects, students may wish to consider seminars described above but listed as not offered in the current year and to consult the instructors concerned as to the possibility of independent work in those fields. Students are encouraged to submit exceptional papers for publication in The Law Review or in other legal periodicals.

Following is a listing representative of faculty members’ preferred areas for supervising written work.

Douglas Baird: bankruptcy; contracts; intellectual property; commercial law.
Lisa E. Bernstein: contracts; alternative dispute resolution; industry studies; sales.
Locke E. Bowman: death penalty; civil rights law; habeas corpus.
Emily Buss: civil procedure; juvenile law; family law; evidence.
Mary Anne Case: regulation of family sex and gender; feminist jurisprudence; constitutional law; comparative civil law; European rights law. (Unavailable to supervise projects 2006-07.)
Herschella P. Conyers: criminal justice; poverty; racism; legal services to the poor.
Adam Cox: voting rights; election law; immigration law; federal jurisdiction.
David P. Currie: constitutional law; federal jurisdiction.
Kenneth W. Dam: international trade; comparative public law; intellectual property.
Frank H. Easterbrook: antitrust; securities; interpretation.
Richard A. Epstein: any common law subject; property-related constitutional issues; law and economics; antitrust; intellectual property; legal history.
Craig Futterman: police accountability; criminal justice; racism; poverty.
Jake Gersen: administrative law; legislation; law and political science.
Bernard Harcourt: criminal law and procedure; punishment theory; socio-legal studies; critical theory; legal and political theory.
R. H. Helmholz: English legal history; continental legal history; real property; personal property.
M. Todd Henderson: corporate law; securities regulation; bankruptcy; intellectual property (especially international issues).
Mark J. Heyrman: rights of the disabled—particularly, the rights of the mentally handicapped, both in institutions and in the community; mentally handicapped in the criminal justice system, including fitness to stand trial, insanity defense, sexual offender laws.
Dennis Hutchinson: legal and constitutional history; racism and the law; institutional studies of the U.S. Supreme Court.
Joseph Isenbergh: domestic and international income and transfer taxation; corporate finance; tax policy; federal jurisdiction.

Alison LaCroix: American legal history; federalism; separation of powers.

William M. Landes: law and economics; intellectual property; torts.

Saul Levmore: public choice; torts; corporations; corporate tax; comparative law.

Douglas Lichtman: intellectual property, including copyright, trademark, and patent; information economics; telecommunications; cyberspace; property.

Anup Malani: law and economics; health law; corporation law; bankruptcy.

Tom Miles: law and economics; empirical legal studies; criminal law; torts.

Jeff Leslie: affordable housing; tenants rights; and economic development transactions.

Martha Nussbaum: moral and political philosophy; jurisprudence; law and literature; ancient Greek philosophy; feminist theory; theories of motivation.

(Professor Nussbaum will be teaching in 2006-07 Autumn Quarter only.)

Randal C. Picker: antitrust; copyright; network industries.

Eric Posner: contracts; international law; foreign relations law.

Richard A. Posner: economic analysis of law; judicial behavior; jurisprudence; national security law.

Julie Roin: federal taxation; taxation of international transactions; state and local government.

Gerald N. Rosenberg: empirical approaches to the study of law, courts, and judicial behavior; law and society; law and social change.

Randall D. Schmidt: civil rights; employment discrimination; civil litigation—including discovery, pretrial procedures, trial practice, evidentiary issues, etc.

Geoffrey R. Stone: evidence; freedom of speech and press; equal protection; search and seizure.

Randolph N. Stone: criminal justice; ethics; legal profession; poverty; racism; legal services to the poor.

Lior Strahilevitz: property and land use; privacy; trade secrets; law and technology; social network theory.

David A. Strauss: constitutional law; federal jurisdiction; legal theory or jurisprudence; criminal procedure; civil procedure; administrative law; employment discrimination.

Cass R. Sunstein: environmental law; occupational safety and health regulation; administrative law; separation of powers; jurisprudence and legal theory; constitutional law; social security and welfare law.

David A. Weisbach: taxation.

Diane Y. Wood: international antitrust; antitrust; international trade and business; international conflicts of law-private international law; civil procedures.
SUBJECT CATEGORIES FOR
SECOND- AND THIRD-YEAR COURSES

Below is a representative sample of courses offered on a regular basis. For the most up-to-date listing of courses offered in the 2006-2007 school year, see the law school web site at http://www.law.uchicago.edu/courses/index.html.

ADMINISTRATIVE LAW,
LEGISLATIVE PROCESS, AND
GOVERNMENT REGULATION

Clinics
Appellate Advocacy Clinic. Employment Discrimination Project. 67113.

Courses
Administrative Law. 46101.
Environmental Law. 46001.
Federal Regulation of Securities. 42401.
Foreign Relations Law.
Immigration Law and the Rights of Non-citizens.
Labor and Employment Law.
Labor Law. 43101.
Land Use.
Law and the Political Process.
Legislation.
Local Government Law.
National Security Law. 70701.
Network Industries. 73501.
Telecommunications Law and Policy. 70401.

Seminars
Affordable Housing Transactions.
Antitrust & Intellectual Property:
Readings. 94701.
Civil Liberties and National Security.
Employee Benefits.
International Environmental Law. 92702.

COMMERCIAL, BUSINESS,
AND LABOR LAW

Clinics
Employment Discrimination Project. 67113.
Institute for Justice Clinic on Entrepreneurship.
Housing Project.

Courses
Financial Accounting for Lawyers. 79101.
Advanced Securities. 48701.
Antitrust Law. 42802.
Bankruptcy and Reorganizations:
The Federal Bankruptcy Code. 73601.
Commercial Transactions. 42101.
Copyright. 45801.
Corporate Finance. 42501.
Corporate Governance. 75001.
Corporation Law. 42301.
Employment and Labor Law.
Federal Regulation of Securities. 42401.
Fundamentals of Commercial Real Estate Transactions. 44001.
International Business Transactions.
International Taxation. 44601.
Investment Management.
Labor Law. 43101.
Land Use.
Legal Elements of Accounting.
Network Industries. 73501.
Patents. 78001.
Secured Transactions. 42201.
Structuring Venture Capital and
Entrepreneurial Transactions. 71401.
Taxation of Corporations I.
Taxation of Corporations II.
Telecommunications Law and Policy. 70401.
Trademarks and Unfair Competition. 45701.

**SEMINARS**

Advanced Antitrust. 91402.
Advanced Issues in Telecommunication
Law. 64802.
Advanced Trademarks & Unfair
Competition. 69902.
Affordable Housing Transactions.
Bankruptcy and Corporate
Reorganization: Advanced Issues.
Business Planning. 62802.
Criminal Justice & Cyberlaw. 68302.
Current Controversies in Corporate and
Securities Law. 52202.
Electronic Commerce Law. 61802.
Employee Benefits.
Entrepreneurship and the Law. 61902.
Federalism & Globalization: Insurance
Regulation in the Modern Financial
Services Marketplace. 92002.
International Law, International
Relations, and Contracts.
International Sales.
International Trade, Investment,
and Finance.
Law and Economic Development.
Non-Profit Organizations.
Practicing Corporate Law.
Private and Public Commercial Law.
Sarbanes-Oxley Act.
Sports Law. 63902.
Studies in Corporate Control.
Telecommunication Law:
Advanced Issues. 64802.
Trade Secrets.

**CONSTITUTIONAL LAW**

**Courses**

American Law and the
Rhetoric of Race. 49801.
Constitutional Law I:
  Governmental Structure. 40101.
Constitutional Law II:
  Freedom of Speech. 40201.
Constitutional Law III: Equal Protection
and Substantive Due Process. 40301.
Constitutional Law IV:
  Speech and Religion. 40501.
Constitutional Law V:
  Freedom of Religion. 79401.
Criminal Procedure I:
  The Investigative Process. 47201.
Criminal Procedure II:
  The Adjudicative Process. 47301.
Criminal Procedure III:
  Further Issues in Criminal
Procedure. 49701.
Foreign Relations Law.
Human Rights: Alien and Citizen.
Immigration Law and the
Rights of Non-citizens.
Privacy. 79701.
Regulation of Sexuality. 72201.
Sex Discrimination. 73101.
The Right to Counsel in the
Criminal Justice System.

**Seminars**

Civil Liberties and National Security.
Constitutional Decision Making. 50222.
Constitution in Congress. 50112.
Diversity and Community
Standards. 61002.
European Union Law I: Constitutional
and Institutional Framework.
The First Amendment and the Media.
Free Speech.
Law and Politics: U.S. Courts as
Political Institutions. 51302.
Religion & the State. 97520.
The U.S. Supreme Court. 50302.
Workshop: Constitutional Law. 63612.
COURTS, JURISDICTION, AND
PROCEDURE

Clinics
Appellate Advocacy Clinic.

Courses
Admiralty Law. 71001.
American Indian Law and Politics.
Conflicts of Laws. 41501.
Criminal Procedure I:
The Investigative Process. 47201.
Criminal Procedure II:
The Adjudicative Process. 47301.
Criminal Procedure III:
Further Issues in Criminal
Adjudication. 49701.
Evidence. 41601.
Federal Jurisdiction. 41101.
Intellectual Property Litigation:
Advanced Issues.
International Litigation in
U.S. Courts. 77101.
The Legal Profession. 41001.
Local Government Law. 71701.
Remedies. 41401.
The Right to Counsel in the
Criminal Justice System.

Seminars
Advanced Civil Procedure:
Complex Litigation. 52502.
Advanced Trial Advocacy. 93902.
Class Action Controversies. 93602.
Complex Appellate Litigation. 51002.
Complex Litigation Management.
Federal Courts from the Judge's
Perspective
Intensive Trial Practice Workshop. 67502.
Judicial Decision-Making.
Judicial Review before the Founding.
Juvenile Justice System. 60102.
Law and Politics: U.S. Courts as Political
Institutions. 51302.
Law and the Political Process.
Legal Interpretation. 51602.
Pre-Trial Advocacy. 67402.
Practicing Corporate Law.

Trial Practice: Strategy and
Advocacy. 91702.
The U.S. Supreme Court. 50302.
White Collar Criminal Practice
and Advocacy.

CRIMINAL LAW AND CRIMINAL
PROCEDURE

Clinics
Criminal and Juvenile Justice
Project. 67213.
Civil Rights Clinic:
Police Accountability. 90913.

Courses
Criminal Procedure I:
The Investigative Process. 47201.
Criminal Procedure II:
The Adjudicative Process. 47301.
Criminal Procedure III:
Further Issues in Criminal
Adjudication. 49701.
Evidence. 41601.
The Right to Counsel in the
Criminal Justice System.
White Collar Crime.

Seminars
Advanced Issues in Criminal
Procedure. 60802.
Civil Liberties and National Security.
Corporate Crime & Investigation. 66702.
Criminal Investigation: Interrogation
Methods and Undercover Operations.
Criminal Justice & Cyberlaw. 68302.
Federal Criminal Law. 58302.
White Collar Criminal Practice
and Advocacy.
Workshop: Crime and Punishment.

FAMILY LAW, PROPERTY RIGHTS,
TORTS, AND INSURANCE

Clinics
Mental Health Advocacy. 67013.
Criminal and Juvenile Justice
Project. 67213.
The Law School

Courses
American Indian Law and Politics.
Art Law, 79301.
Copyright, 45801.
Environmental Law, 46001.
Family Law, 45001.
Fundamentals of Commercial Real
Estate Transactions, 44001.
Labor Law, 43101.
Land Use.
Law and Economic Development.
Law and the Mental Health System, 47001.
Parent, Child, and the State, 47101.
Patents, 78001.
Regulation of Sexuality, 72201.
Sex Discrimination, 73101.
Sex Equality, 48801.
Trademarks and Unfair Competition, 45701.
Trusts & Estates, 45201.

Seminars
Affordable Housing Transactions.
Divorce Practice, 93202.
Employee Benefits.
The Juvenile Justice System, 60102.
Law, Behavior, and Regulation, 65402.
Law & Practice of Zoning, Land Use &
Eminent Domain, 90602.
Law and Science.
Law, Science, and Medicine, 93302.
Marriage, 68002.
Reproductive Law and Ethics.
Risk and Uncertainty.
Topics in U.S. Health, Economics,
Sociology, and Policy.

Health Law

Clinics
Mental Health Advocacy, 67013.

Courses
Family Law, 45101.
Health Law.
Health Law and Policy, 78801.
Insurance Law and Policy.
Law and the Mental Health System, 47001.
Parent, Child, and the State, 47101.

Seminars
Health Care Resource Allocation.
Law and Science.
Law, Science, and Medicine, 93302.
Reproductive Law and Ethics.
Topics in U.S. Health, Economics,
Sociology, and Policy.

Intellectual Property,
Technology Law, &
Entrepreneurship

Clinic
Institute for Justice Clinic on
Entrepreneurship, 67613.

Courses
Art Law, 79301.
Antitrust Law, 42801.
Copyright, 45801.
Entertainment Law, 78301.
International Intellectual Property.
Network Industries, 73501.
Patents, 78001.
Structuring Venture Capital &
Entrepreneurial Transactions, 71401.
Telecommunications Law and Policy, 70401.
Trademarks & Unfair Competition, 45701.

Seminars
Advanced Antitrust, 91402.
Advanced Issues in
Telecommunication Law, 64802.
Advanced Trademarks and Unfair
Competition, 69902.
Criminal Justice & Cyberlaw, 68302.
Electronic Commerce Law, 61802.
Entrepreneurship & the Law, 61902.
Information Technology Law:
Seminar in Complex Industry
Transactions, 91502.
Intellectual Property Law and the
Regulation of Information.
Law and Technology: Current Issues.
Sports Law, 63902.
Trade Secrets.
INTERNATIONAL AND COMPARATIVE LAW

Courses
American Indian Law and Politics.
Foreign Relations Law.
Human Rights: Alien and Citizen.
Immigration Law and the Rights of Non-citizens.
International Business Transactions.
International Finance. 48901.
International Intellectual Property.
International Taxation. 44601.
Public International Law. 72901.

Seminars
Building Justice in Iraq.
Crisis in American-Islamic Relations.
European Legal History.
European Union Law I: Constitutional and Institutional Framework.
European Union Law II: Current Legal and Political Problems.
International Arbitration 64602.
International Law, International Relations, and Contracts.
International Sales.
International Trade, Investment, and Finance.
Invitation to Talmudic Law.
Islam and International Law.
Islamic Law in the Modern World.
Japanese Law.
Legal Aspects of Contemporary China’s Economic Transition.
The Legal History of Early China. 98002.
Nuclear Proliferation.
Texts of Indian Modernity: Rabindranath Tagore’s Writings about Nation, Universalism, Gender and Faith.
Recent Literature on Courts. 54402.
The Laws of War.

Torture, the War on Terror, and the War in Iraq.
Workshop: International Law. 63402.

JURISPRUDENCE AND LEGAL THEORY

Courses
Economic Analysis of the Law. 73201.
Feminist Jurisprudence. 70501.
Feminist Philosophy. 47701.
Human Rights: Alien and Citizen.
Law and the Mental Health System. 47001.
The Legal Profession. 41001.
Patriotism and Cosmopolitanism.
Political Responsibility.

Seminars
American Legal Theory. 57802.
Analytic Jurisprudence.
Judicial Decision-Making.
Law, Behavior, and Regulation. 65402.
Legal Interpretation. 51602.
Workshop: Crime and Punishment.
Workshop: Law and Economics. 56012.

LEGAL HISTORY

Courses
American Law and the Rhetoric of Race. 49801.
American Legal History: 1607–1870.
The History of American Federalism: Origins to the Civil War.
Human Rights II: History and Theory.
Legal History of Early China.

Seminars
European Legal History.
Judicial Review Before the Founding.
Torture, the War on Terror, and the War in Iraq.
TAXATION

Courses
International Taxation. 44601.
Introductory Income Tax. 44101.
Legal Elements of Accounting. 75601.
Partnership Taxation. 71401.
Structuring Venture Capital and Entrepreneurial Transactions. 71401.
Taxation of Corporations I. 75801.
Taxation of Corporations II. 75901.

Seminars
Business Planning. 62802.
Employee Benefits. 7701.
Estate and Gift Tax. 93502.
Tax Policy. 53702.
Topics in State & Local Finance. 62202.

COMPLEMENTARY, MULTIDISCIPLINARY, & CROSS-LISTED COURSES

Courses
American Law & the Rhetoric of Race. 49801.
Art Law. 79301.
Health Law & Policy.
Legal Scholarship Workshop. 77011.
Political Responsibility.
Price Theory. 43601. (ECON).
Seminars
Building Justice in Iraq.
Diversity and Community Standards. 61002.
Game Theory and the Law. 50602.
Higher Education and Law. 52102.
Law and Economics of Health Care. 68502. (PUBPOL).
Law and Politics: U.S. Courts as Political Institutions. 51302.
Legal Writing and Analysis.
Patriotism and Cosmopolitanism. Recent Literature on Courts. 54402. (POLSCI).
Risk and Uncertainty.
Roman Law. 59302.
Sports Law. 63902.
Workshop: Crime and Punishment.
Workshop: Law and Philosophy. 61512. (PHILOS).

Clinical Courses
Appellate Advocacy.
Civil Rights Clinic: Police Accountability. 90913.
Criminal and Juvenile Justice Project. 67213.
Housing Project. 95013.
Mental Health Advocacy. 67013.
The Institute for Justice Clinic on Entrepreneurship. 67613.
Poverty & Housing Law Clinic. 90513.